



APPLICATION ACCEPTED: July 1, 2008  
PLANNING COMMISSION: December 11, 2008  
BOARD OF SUPERVISORS: Not yet scheduled

# County of Fairfax, Virginia

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November 26, 2008

## STAFF REPORT

### SPECIAL EXCEPTION APPLICATION SE 2008-HM-023

#### HUNTER MILL DISTRICT

<b>APPLICANT:</b>	Keith and Stephanie Anderson
<b>ZONING:</b>	R-1
<b>PARCEL(S):</b>	12-3 ((7)) 4A, 24A
<b>ACREAGE:</b>	4.02 acres
<b>DENSITY:</b>	0.89 du/acre
<b>PLAN MAP:</b>	Residential; .5 – 1 du/ac
<b>SE CATEGORY:</b>	Category 6: Waiver of the minimum lot width requirement
<b>PROPOSAL:</b>	To permit a waiver of the minimum lot width requirement in order to re-subdivide two lots totaling 4.02 acres into two lots, with lot widths of 172 feet and 6 feet, respectively.

#### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2008-HM-023, subject to the proposed Development Conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Shelby C. Johnson

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

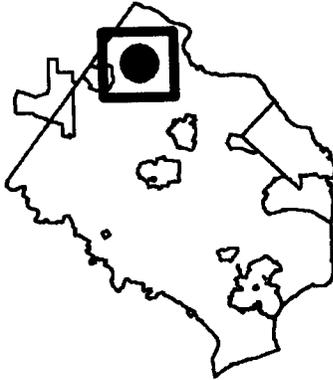
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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception

SE 2008-HM-023



Applicant:  
Accepted:  
Proposed:

KEITH AND STEPHANIE ANDERSON  
07/01/2008  
WAIVER OF MINIMUM LOT WIDTH REQUIREMENT

Area:

4.02 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect: 09-0610

Art 9 Group and Use: 6-6

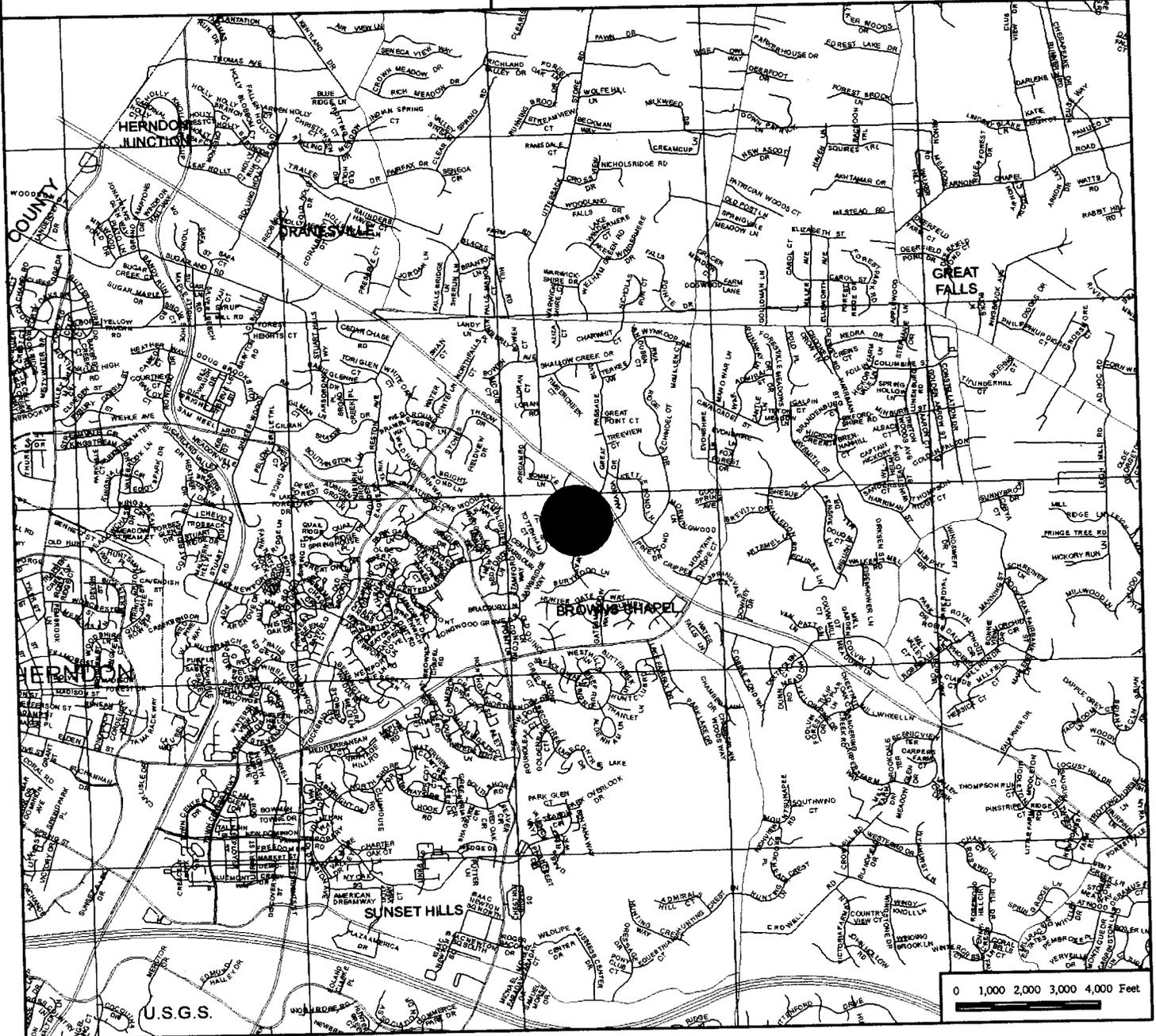
Located: 1203 BISHOPSGATE WAY

Zoning: R-1

Plan Area: 3,

Overlay Dist:

Map Ref Num: 012-3- /07/ /0004A /07/ /0024A



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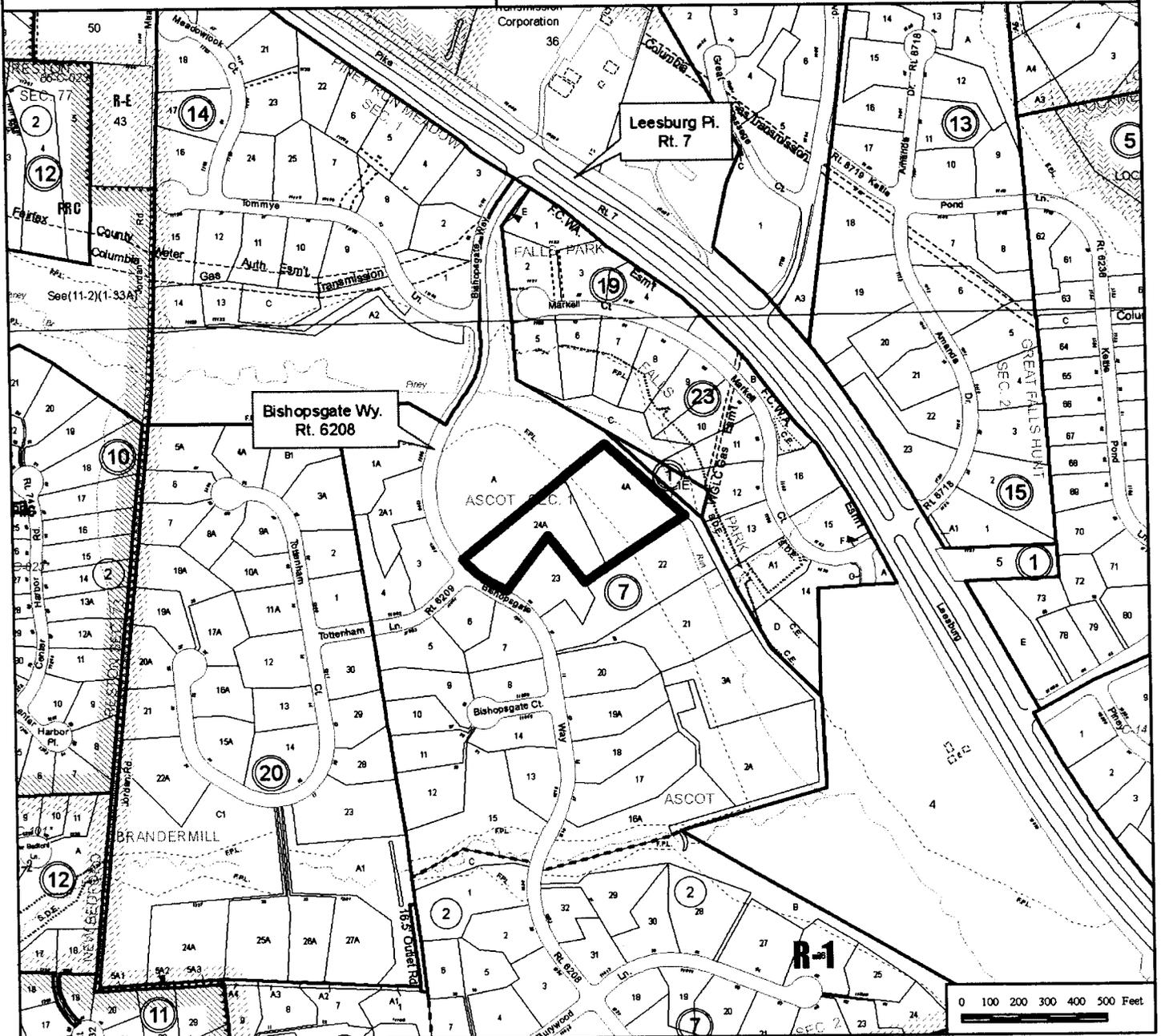
Located: 1203 BISHOPSGATE WAY

Zoning: R-1

Plan Area: 3,

Overlay Dist:

Map Ref Num: 012-3- /07/ /0004A /07/ /0024A



# ANDERSON PROPERTY

HUNTER MILL DISTRICT  
FAIRFAX, VIRGINIA

## SPECIAL EXCEPTION PLAT

PLAN NUMBER: SE-2008-HM-023

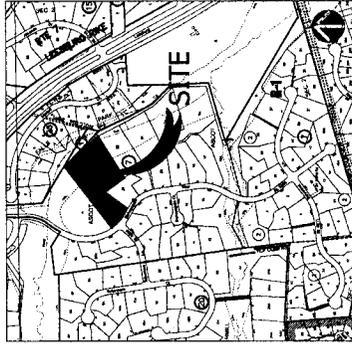
HUNTER MILL DISTRICT  
FAIRFAX COUNTY, VIRGINIA

APRIL 16, 2008

(REVISED JUNE 18, 2008)  
(REVISED AUGUST 14, 2008)  
(REVISED SEPTEMBER 16, 2008)  
(REVISED OCTOBER 10, 2008)  
(REVISED OCTOBER 31, 2008)

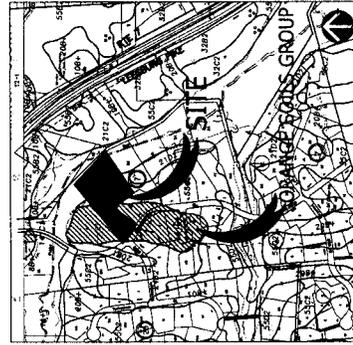
### SHEET INDEX

1. COVER SHEET
2. SPECIAL EXCEPTION PLAT
3. EXISTING VEGETATION MAP
4. SWM CHECKLIST & OUTFALL DESCRIPTION
5. EXISTING CONDITIONS & SUBDIVISION TABULATIONS
6. SWM/BMP COMPUTATIONS & DETAILS
7. SWM/BMP COMPUTATIONS & DETAILS
8. CONCEPTUAL LANDSCAPE PLAN
9. CROSS SECTION & HOUSE DETAILS EXHIBIT
10. ALTERNATIVE SPECIAL EXCEPTION PLAT



ZONING & VICINITY MAP  
SCALE 1"=80'

TM NO. 12-3-07-24A, 12-3-07-4A



SOILS MAP  
SCALE 1"=80'

TM NO. 12-3-07-24A, 12-3-07-4A

APPLICANT/OWNER  
KEITH & STEPHANIE ANDERSON  
1203 BISHOPSGATE WAY  
RESTON, VIRGINIA 20194

### ATTORNEY

SACK, HARRIS & MARTIN  
870 GREENSBORO DRIVE  
SUITE 800  
MCLEAN, VIRGINIA 22002  
CONTACT: KEITH C. MARTIN  
(703) 883-0802

### ENGINEER/LANDSCAPE ARCHITECT

VEKA INC.  
880 GREENSBORO DRIVE  
SUITE 200  
MCLEAN, VIRGINIA 22002  
CONTACT: BOB COCHRAN  
(703) 442-7800

### ENVIRONMENTAL CONSULTANT

WETLAND STUDIES AND SOLUTIONS, INC.  
500 WELLINGTON BRANCH DRIVE  
SUITE 100  
GAINESVILLE, VIRGINIA 2015  
CONTACT: SEAN SIPPLE  
(703) 679-5600













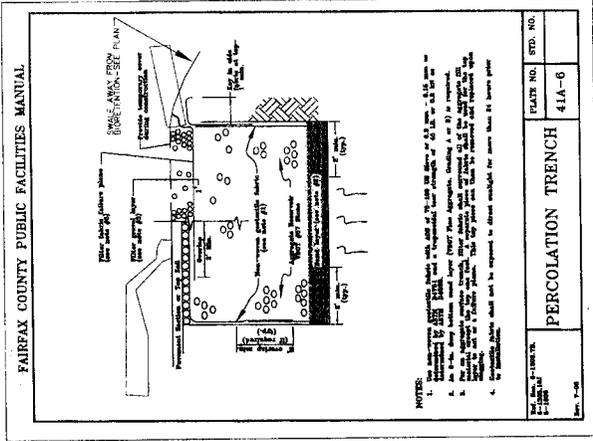


PLATE NO.	STD. NO.
41A-6	
<b>PERCOLATION TRENCH</b>	
Rev. 3-08	

1 PERCOLATION TRENCH DETAIL  
NOT TO SCALE

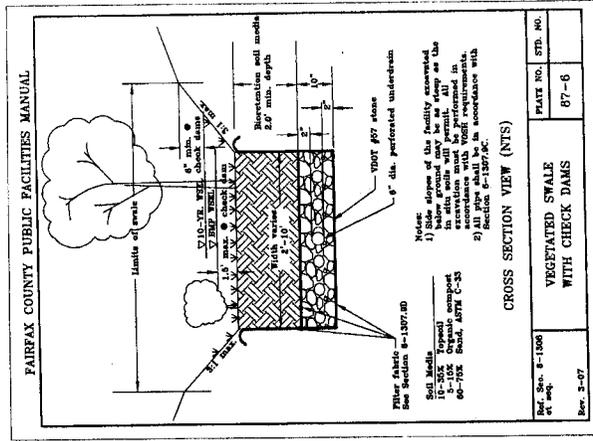


PLATE NO.	STD. NO.
87-6	
<b>VEGETATED SWALE WITH CHECK DAMS</b>	
Rev. 3-07	

2 VEGETATED SWALE DETAIL  
NOT TO SCALE

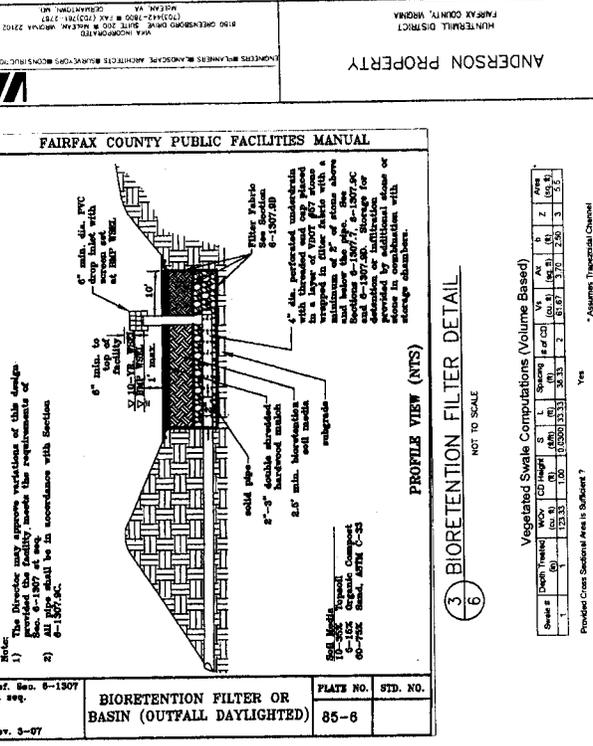


PLATE NO.	STD. NO.
85-6	
<b>BIORETENTION FILTER OR BASIN (OUTFALL DAYLIGHTED)</b>	
Rev. 3-07	

3 BIORETENTION FILTER DETAIL  
NOT TO SCALE

Facility #	Est. Unit	Est. Unit	Required Depth
1	433.00	433.00	4.00
2	1.00	1.00	4.00
3	0.12	0.12	4.00
4	653.40	653.40	4.00
5	0.67	0.67	4.00
6	0.32	0.32	4.00
7	2.50	2.50	4.00
8	1.50	1.50	4.00
9	N/A	N/A	4.00
10	0.52	0.52	4.00
11	N/A	N/A	4.00
12	330.00	330.00	4.00
13	Unstabilized	Unstabilized	4.00
14	N	N	4.00
15	N/A	N/A	4.00
16	N/A	N/A	4.00
17	N/A	N/A	4.00
18	N/A	N/A	4.00
19	N/A	N/A	4.00
20	N/A	N/A	4.00

4 PERCOLATION TRENCH COMPUTATIONS

Facility #	Est. Unit	Est. Unit	Required Filter Area
1	433.00	433.00	442.00
2	1.00	1.00	442.00
3	0.12	0.12	442.00
4	653.40	653.40	442.00
5	0.67	0.67	442.00
6	0.32	0.32	442.00
7	2.50	2.50	442.00
8	1.50	1.50	442.00
9	N/A	N/A	442.00
10	0.52	0.52	442.00
11	N/A	N/A	442.00
12	330.00	330.00	442.00
13	Unstabilized	Unstabilized	442.00
14	N	N	442.00
15	N/A	N/A	442.00
16	N/A	N/A	442.00
17	N/A	N/A	442.00
18	N/A	N/A	442.00
19	N/A	N/A	442.00
20	N/A	N/A	442.00

5 BIORETENTION COMPUTATIONS EXISTING LOT

Facility #	Est. Unit	Est. Unit	Required Filter Area
1	433.00	433.00	442.00
2	1.00	1.00	442.00
3	0.12	0.12	442.00
4	653.40	653.40	442.00
5	0.67	0.67	442.00
6	0.32	0.32	442.00
7	2.50	2.50	442.00
8	1.50	1.50	442.00
9	N/A	N/A	442.00
10	0.52	0.52	442.00
11	N/A	N/A	442.00
12	330.00	330.00	442.00
13	Unstabilized	Unstabilized	442.00
14	N	N	442.00
15	N/A	N/A	442.00
16	N/A	N/A	442.00
17	N/A	N/A	442.00
18	N/A	N/A	442.00
19	N/A	N/A	442.00
20	N/A	N/A	442.00

6 BIORETENTION COMPUTATIONS NEW LOT

NOTE: WATER QUALITY FACILITIES ON THIS PAGE DESIGNED TO TREAT FIRST 1" OF RUNOFF - THIS TRANSLATES TO A PHOSPHOROUS REMOVAL EFFICIENCY OF 65%

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

PLANNING/PROJECTS/DESIGN/CONSTRUCTION DIVISION

DATE: 4-18-08

PROJECT FILE NO. 7125A

SHEET NO. 6 OF 10

APPROVED BY: [Signature]

DATE: 4-18-08

PROJECT FILE NO. 7125A

SHEET NO. 6 OF 10





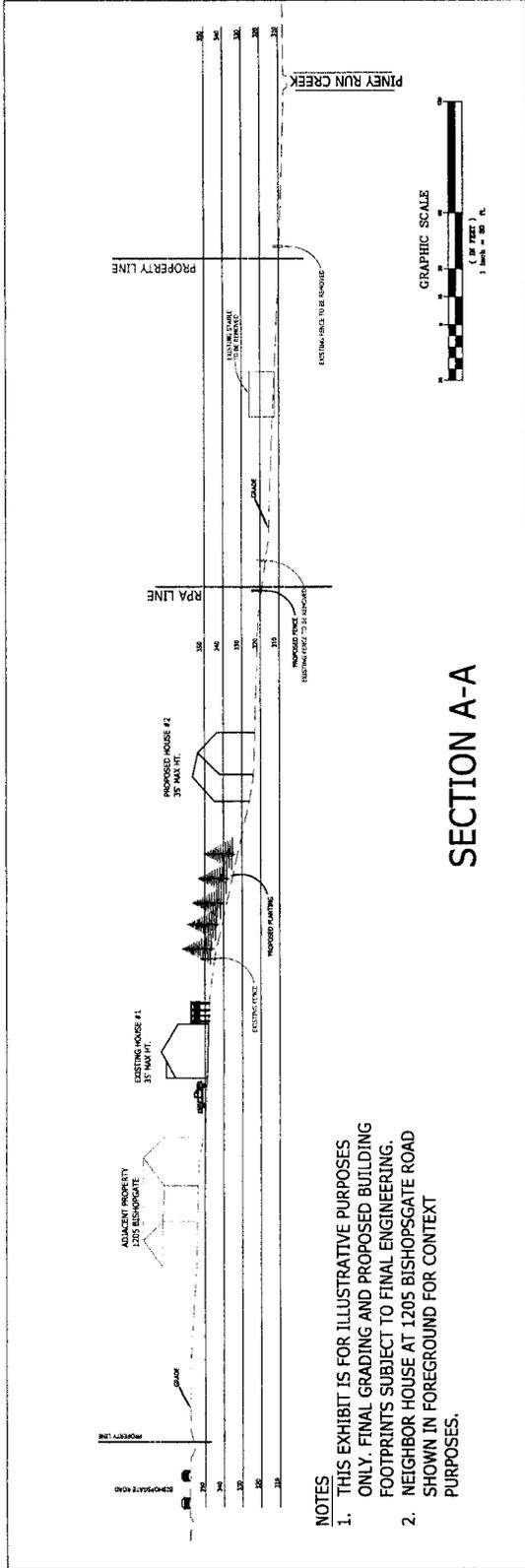


ENGINEERS: R. ANDERSON & ASSOCIATES ARCHITECTS: M. J. VICKERS & ASSOCIATES  
 910 GREENBROOK DRIVE SUITE 200 FARMERSVILLE, VIRGINIA 22122  
 (703) 442-7800 FAX (703) 442-7782  
 WILMINGTON, VA 23180

ANDERSON PROPERTY  
 ASCOT LOT 24-A & 4A

CROSS SECTION &  
 HOUSE DETAILS  
 EXHIBIT

VIKA REVISIONS	
6-18-08	1
8-14-08	2
10-10-08	3
10-17-08	4
10-17-08	5
10-17-08	6
10-17-08	7
10-17-08	8
10-17-08	9
10-17-08	10
DATE: 4-18-08	DES: DWG: VIK
SCALE:	
PROJECT/FILE NO.	7129
SHEET NO.	9 OF 10



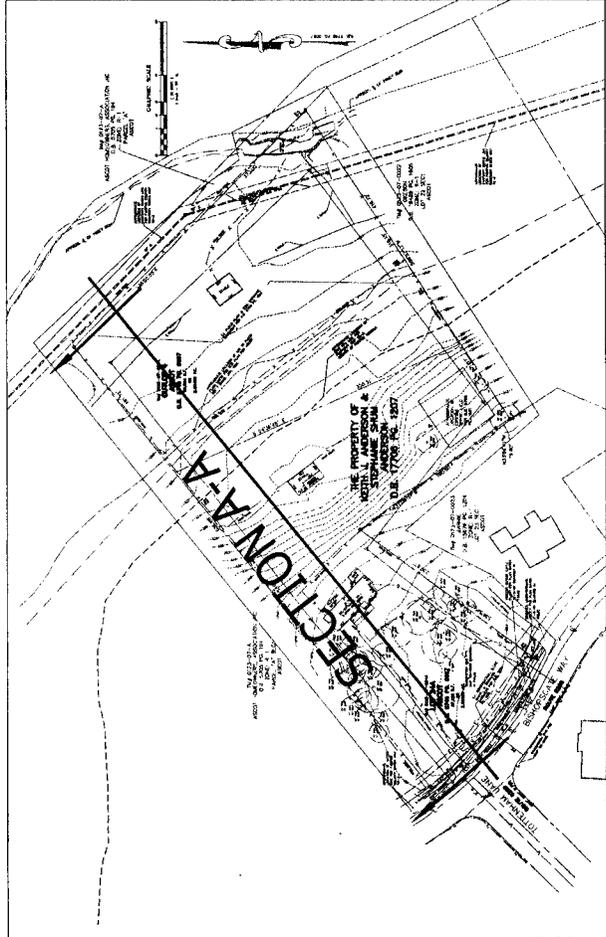
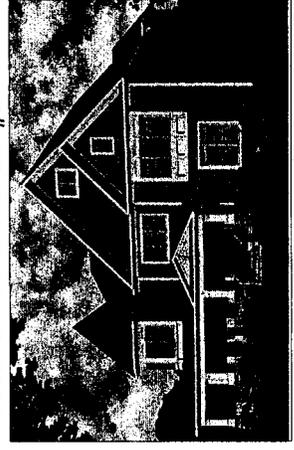
SECTION A-A

- NOTES
1. THIS EXHIBIT IS FOR ILLUSTRATIVE PURPOSES ONLY. FINAL GRADING AND PROPOSED BUILDING FOOTPRINTS SUBJECT TO FINAL ENGINEERING.
  2. NEIGHBOR HOUSE AT 1205 BISHOPSGATE ROAD SHOWN IN FOREGROUND FOR CONTEXT PURPOSES.

HOUSE STYLE EXAMPLE #1



HOUSE STYLE EXAMPLE #2



SECTION MAP  
 NTS

- NOTES:
1. EXTERIOR MATERIALS MAY INCLUDE HARDIE-PLANK SIDING, WOOD TRIM, ARCHITECTURAL ASPHALT SHINGLES, METAL ACCENT ROOFING, WOOD RAILINGS.
  2. THE HOUSE STYLE EXAMPLES AND DESCRIPTIONS OF MATERIALS TO BE USED SHOWN HERE ARE ILLUSTRATIVE ONLY AND MAY CHANGE WITH FINAL ENGINEERING AND LOT GRADING.





**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

The applicants, Keith and Stephanie Anderson, seek a Category 6 Special Exception to permit a waiver of the R-1 Residential District minimum lot width requirement in order to re-subdivide a current lot (Lot 24A) and an outlot (Lot 4A), totaling 4.02 acres into two new residential lots. The proposed Lot 1 (formerly Lot 24A) will have a lot width of 172 ft. and the proposed Lot 2 (formerly partial Lot 24A and Lot 4A) will have a lot width of 6 feet. The R-1 District requires that the lot width for a conventional interior lot be a minimum of 150 feet. The applicant's request would represent a reduction of 144 feet from the minimum required lot width for Lot 2. The applicant proposes to maintain the subject property's existing two-story single-family detached dwelling on the proposed Lot 1 and to develop one (1) new single-family detached dwelling with a two-car detached garage on the newly created lot (*referenced as Lot 2 on the SE Plat*). The resulting density would be 0.89 dwelling units per acre (du/ac).

**LOCATION AND CHARACTER**

**Site Description:**

The 4.02-acre subject property addressed 1203 Bishopsgate Way and zoned to the R-1 District, is located on the east side of Bishopsgate Way, south of its intersection with Tottenham Lane. A wooden fence serves as a barrier along the perimeter of the site. An additional wood fence traverses the site just north of the Resource Protection Area (RPA) line. The site is adjacent to the Ascot Homeowners Association (HOA) Open Space along the site's western and northern boundaries. The site's topography slopes downward from the road to the rear lot line. Access is provided via a long paved driveway along its southwestern property line. Mature white pine trees abut the existing driveway along with a variety of shade and deciduous trees located in the large, well-manicured front lawn. An existing septic field, which is proposed to be removed, is located northeast of the existing dwelling. A field-verified RPA and 100-year floodplain line traverses approximately 51% of the eastern portion of Lot 4A (proposed Lot 2). Piney Run, a perennial stream, traverses the northeast portion of the site. Two dilapidated stables located to the rear of the property, are proposed to be removed and the RPA is to be reforested with native seedlings and trees to restore the area to a natural habitat. The remaining land area is characterized as a low-maintained open field with no significant vegetation. The site's existing two-story, single-family detached dwelling, located along the property's southwest quadrant, was constructed in 1983 and is currently owner occupied. The dwelling, according to land records, contains approximately 2,190 square feet in living area and has an attached two-car garage and driveway with an existing wood deck attached to the rear of the existing house.

**Surrounding Area Description:**

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	HOA Open Space; Single-family detached dwellings (Falls Park Estates)	R-1	Residential; .5-1 du/acre
<b>South</b>	Single-family detached dwellings (Ascot)	R-1	Residential; .5-1 du/acre
<b>East</b>	Single-family detached dwellings (Falls Park Estates)	R-1	Residential; .5-1 du/acre
<b>West</b>	HOA Open Space and Single-family detached dwellings (Brandermill)	R-1	Residential; .5-1 du/acre

**BACKGROUND**

The Ascot Subdivision was approved to develop 72 lots over three sections from 1982 to 1985. Sections 1 and 2 contain lots zoned to either the R-1 conventional zoning district or R-1 cluster zoning. It should be noted that the record plat for Section 1 of the Ascot Subdivision was approved on November 11, 1982, preceding the requirement to obtain Special Exception approval for cluster zoning. The lots in Section 3 are all zoned R-1 cluster. As a result of the R-1 cluster zoning, at least 1/3 of the lots in this subdivision are accessed from shared driveways. The application site is located within Section 1 of the Ascot Subdivision which was approved with seventeen (17) lots zoned to the R-1 District (conventional zoning) and seven (7) lots zoned R-1 with alternate density (cluster zoning). Records indicate that the existing single-family detached dwelling was constructed in 1983.

There were no previous zoning actions for these lots.

**COMPREHENSIVE PLAN PROVISIONS (See Appendix 4)**

**Plan Area:** Area III, Upper Potomac Planning District  
**Planning Sector:** UP5 - Reston Community Planning Sector  
**Plan Map:** Residential; .5-1 du/ac

In the Fairfax County Comprehensive Plan, 2007 Edition, AREA III, Upper Potomac Planning District, UP5 Reston Community Planning Sector, as amended through June 30, 2008, the *Plan* states starting on page 117:

*"The Reston Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be*

*of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.”*

**Special Exception (SE) Plat** (copy at front of staff report)

**Title of SE Plat:** Anderson Property Special Exception Plat  
**Prepared By:** VIKA, Inc.  
**Original and Revision Dates:** Dated April 16, 2008, as revised through October 31, 2008.

**Plat Description:**

The submitted SE Plat consists of ten (10) sheets.

<b>Anderson Property SE Plat: SE 2008-HM-023</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 10	Cover Sheet, Soils Map, Vicinity Map, Sheet Index
2 of 10	Notes, Site Layout, Site Tabulations, Legend
3 of 10	Existing Vegetation Map (EVM), Tree Cover Calculations
4 of 10	Stormwater Management Checklist and Outfall Narrative and Photographs
5 of 10	Existing Conditions and Subdivision Tabulations
6 and 7 of 10	SWM/BMP Computations and Details
8 of 10	Conceptual Landscape Plan, Tree Cover Calculations, RPA Area Planting Detail
9 of 10	Cross Section and House Details Exhibit
10 of 10	Alternate Site Layout, Site Tabulations, Legend

The SE Plat depicts a site layout as follows:

*Residential Units and Lots*

- The applicant is proposing a total of two (2) single-family detached dwelling units on the subject 4.02-acre site, which represents an overall density of 0.89 dwelling units per acre. The single-family residences will be located upon two (2) separate interior lots, Lot 1 and Lot 2. Both the existing residence (which will remain on Lot 1) and the proposed dwelling (located on Lot 2) will have a maximum building height of 35 feet. The proposed dwelling has an approximate building footprint of 3,675 square feet (SF) and a detached garage of approximately 400 SF. The applicant has provided two examples of possible house styles and materials for illustrative purposes. (Additional

site features such as covered porches, decks or retaining walls have not been provided.)

- The newly created lots will each have an approximate lot size of 39,864 SF (Lot 1), and 136,460 SF (Lot 2), which is in excess of the R-1 minimum lot area of 36,000 SF.
- The established R-1 District minimum yards consist of forty (40) foot front yards, twenty (20) foot side yards and twenty-five (25) foot rear yards. The existing dwelling will have a front yard setback of approximately 187 feet; side yard setbacks of 20 feet on the west and 37.9 feet on the east; and rear yard setback of 34.8 feet. The proposed dwelling on Lot 2 will have a front yard setback of 53 feet; side yard setbacks of 117 feet to the west and 133 feet to the east; and a rear yard setback of 219 feet.
- The applicant's topographical map of the subject property (with two-foot contour intervals), indicates that the property generally slopes downward (diagonally) from southeast to northwest, from a high point of 362 feet, to a low point of 310 feet.
- An RPA traverses the northern boundary of the application site. The SE Plat depicts a field verified RPA boundary (WSSI Plan #21632.01) which, at the time of this report, has not been approved by the Department of Public Works and Environmental Services (DPWES). In the event that the field verified RPA line is not approved by DPWES, the applicant has provided an alternative plan (Sheet 10) showing the proposed development in the context of the existing County Mapped RPA boundary.

#### *Access & Parking*

- The SE Plat indicates that ingress/egress to the subject site will be provided via the existing driveway accessed from Bishopsgate Way. The shared common driveway will be improved to meet Public Facilities Manual (PFM) standards for a minimum width of 12 feet and will be centered within a 24-foot wide ingress/egress easement along the shared portions of the driveway. The driveway extension to the existing dwelling on Lot 1 will continue to have an asphalt surface with a proposed vegetated swale adjacent to a portion of the drive. The proposed driveway extension from the shared driveway to the proposed dwelling on Lot 2 is shown to have a pervious surface.
- The existing residence will retain its two-car attached garage located along the southwest corner of the dwelling for parking. The proposed dwelling will have a two-car detached garage located along the northwest corner of the proposed dwelling.

### *Trees and Landscaping*

- The applicant has provided an existing vegetation map that depicts a total of thirty-six (36) on-site trees. Of the thirty-six (36) on-site trees, the applicant is proposing to remove seven (7) of the trees located along the existing and proposed driveway extension on the western boundary of the subject property. These trees were characterized by Urban Forest Management (UFM) to be of minimal quality. The applicant proposes to provide 23% tree cover, exceeding the minimum 20% (7,773 SF) tree cover requirement for the R-1 District on Lot 1, and to meet the requirement (providing 20% tree cover) on Lot 2. A conceptual landscape plan depicts the general location of proposed 2" caliper plant materials for Lot 2 consisting of a mix of Category II, III and IV trees as listed in the PFM.
- As previously noted in this report, approximately 51% of Lot 2 contains an RPA and Piney Run, a perennial stream, traverses the northeast portion of the application site. In accordance with the Chesapeake Bay Preservation Ordinance, Section 118-3-3, a buffer area that is "effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained, if present, and established where none exists" to minimize the adverse effects of human activities on the other components of the RPA. Since the site is devoid of an existing buffer area, the applicant proposes to establish a buffer area with plantings consisting of a mixture of overstory trees, understory trees and shrubs to meet PFM standards.

### *Trails and Sidewalks*

- No trail or sidewalk is being proposed along the Bishopsgate Way right-of-way by the applicant. The Countywide Trails Plan has no requirement for a trail or sidewalk along this section of Bishopsgate Way.

### *Stormwater Management (SWM) and Best Management Practices (BMP)*

- To address SWM/BMP requirements, the applicant is proposes two (2) bioretention facilities, one facility to serve each lot, that will be located within the rear yard (northwest corner) of each lot; two (2) percolation trenches, each connected to a bioretention facility via an underdrain in the bioretention facility; and a vegetated swale, adjacent to a portion of the existing driveway. Stone columns/windows (height and size details are not provided) are proposed for each percolation trench to ensure that overflow will rise through stone and flow overland as opposed to backing into the bioretention facility for high intensity storms. In addition, the existing floodplain easement located on Lot 2, will be computed as perpetual open space and count towards water quality requirements as allowed by the PFM. According to the SE Plat, the combined proposed facilities and techniques, as described above, will exceed the 40% minimum phosphorus removal requirement for the site. While

previous plan submissions indicated that proposed BMP facilities will provide a 65% phosphorous removal, the revised SE Plat submitted for this report does not provide computations to support the claim that the site meets water quality requirements. Staff has made numerous requests for the applicant to demonstrate that the proposed SWM/BMP facilities will function properly and meet all applicable standards. However, the applicant has elected to provide these computations at the time of final engineering.

#### *Utilities*

- The existing and proposed dwelling on the subject property will be served by public water.
- The applicant proposes to abandon the existing septic field located on the southeastern portion of the proposed Lot 2 which serves the existing dwelling. Sanitary sewer will be provided to both residences via a 4-inch sanitary sewer lateral that will connect to an 8-inch lateral that will ultimately tie into an existing 18-inch sanitary sewer line located along the northern property line of Lot 2. The laterals are proposed to be constructed, in part, in the RPA, which require a Water Quality Impact Assessment (WQIA).

## **ANALYSIS**

### **Land Use Analysis**

The subject 4.02-acre property is located within the UP5 Reston Community Planning Sector. The Comprehensive Plan map shows the site as planned for residential use at a density of .5 - 1 du/ac. The applicant is requesting a waiver of the minimum lot width requirement in order to re-subdivide lots totaling 4.02 acres into two new lots, with lot widths of 172 feet and 6 feet. It should be noted that the subject property is surrounded by the Piney Run Stream Valley Resource Protection Area (RPA) and does contain a 100-year floodplain over the northern half of Lot 2. The applicant has proposed to reforest the RPA and create a buffer area for Piney Run. The existing two story single-family detached dwelling on the southern side of the parcel would remain on proposed Lot 1 and a new single-family detached dwelling would be constructed on proposed Lot 2. The resulting density would be 0.89 du/ac. The adjacent properties to the south, east and west are zoned either to the R-1 conventional District or the R-1 cluster (previously alternate density) District. The application site is located within Section 1 of the Ascot Subdivision which was approved with seventeen (17) lots zoned to the R-1 District (conventional zoning) and seven (7) lots zoned R-1 with alternate density (cluster zoning). With the addition of Lot 2, the overall density for the subdivision increases slightly from 0.88 du/ac to 0.89 du/ac. As previously noted, Section 1 of the Ascot Subdivision was approved prior to the requirement to obtain Special Exception approval for cluster zoning.

Due in part to the scattered cluster zoning, the properties within this subdivision are composed of a variety of lot sizes, lot shapes, and lot types (i.e. pipestem lots and conventional lots), and the existing dwellings throughout the neighborhood have a range of building heights, footprint sizes, building styles, varying yard setbacks and distances between dwellings. At least 1/3 of the lots in this subdivision are accessed from shared driveways. As such, staff believes that the applicant's proposal is in harmony with the character of the surrounding neighborhood and is in harmony with the Comprehensive Plan.

### **Environmental Analysis** (See Appendix 5)

#### *Restoration of Vegetation*

The majority of the subject site, including the RPA, is characterized as a low-maintained grassy meadow. The open field is not densely vegetated. As part of this application, the applicant has proposed a significant landscape restoration plan for the proposed Lot 2, including the RPA and buffer area. This measure should improve overall water quality in Piney Run.

#### *Countywide Trails Plan*

The Countywide Trails Plan map depicts a minor paved trail along the stream reach of Piney Run adjacent to the subject property. Aerial photography indicates that the trail currently exists on the northeast side of the stream opposite the subject property. Therefore, no trails are required. The applicant has not proposed any trails or sidewalks.

### **Issue: Archeological Resources** (See Appendix 6)

According to the Fairfax County Park Authority (FCPA), the site contains a landform with a moderate to high potential for significant archeological resources. The flat, elevated terrace between the westernmost stable and the adjacent floodplain, if a natural landform, would be the potential area of significance.

### **Resolution:**

The area, as described above, should be subjected to a tight interval Phase I archeological survey, using a scope of work provided by the Park Authority. If any archeological resources are found by the Phase I survey and determined to be potentially significant, then subsequent assessments should be done and submitted for review and approval by the Cultural Resource Management and Protection Section (CRMPS) of the Fairfax County Park Authority. Staff has proposed a development condition to ensure that all applicable archeological surveys are performed and submitted for approval. With the adoption of the proposed development condition, staff believes the issue is resolved.

**Issue: Hazardous Soils** (See Appendix 7)

The County's Soils Map indicates that "orange soils" or actinolite/tremolite mineral deposits are present along the western side of proposed Lots 1 and 2. Therefore, a potential health hazard exists at this location for naturally occurring asbestos.

**Resolution:**

The Fairfax County Health Department has developed directives that outline standard operating procedures designed to protect the public's health, as well as the health and safety of personnel who develop and construct these projects. These directives must be implemented in order to proceed with the project. Staff recommends a development condition to ensure that the Health Department directives for development are followed. With the implementation of the staff proposed development condition, this issue is resolved.

**Urban Forest Management Analysis** (See Appendix 8)**Issue: Tree Cover Calculation**

Previous plans submitted by the applicant provided tree cover calculations, but did not depict the proposed trees on the SE Plat. Staff noted that the applicant should show proposed trees on the SE Plat.

**Resolution:**

Subsequent submissions of the SE Plat include a conceptual landscape plan that provides the caliper, planting schedule and general location of proposed landscaping on Lot 2. However, tree protection fencing for existing trees to be preserved is not shown. Staff has recommended development conditions which will be instrumental in assuring adequate tree preservation and protection throughout the development process. These proposed conditions shall require conformance with the proposed SE Plat limits of clearing and grading and tree preservation fencing. With the adoption of this development condition, this issue is resolved.

**Issue: RPA Delineation**

At the time of this report, the RPA boundary depicted on Sheet 2 of the SE Plat as "Field Verified RPA" has not been approved by the DPWES. In the event that the approved RPA delineation is not in substantial conformance with that depicted on the SE Plat, then a Special Exception Amendment (SEA) will be required.

**Resolution:**

The applicant has proposed an alternate SE Plat (Sheet 10) which depicts the proposed site development without encroachments into the County mapped RPA boundary. This issue is resolved.

**Issue: RPA Buffer Area**

In accordance with Section 118-3-3 of the PFM, the applicant must establish a buffer area to minimize the adverse effects of human activities on the components of the RPA.

**Resolution:**

The applicant should indicate the area on the SE Plat where a reforestation plan will be implemented within the RPA. As the buffer to be established on the subject property is within the floodplain, species selected for planting should be chosen from those suitable for floodplains as indicated. The applicant has shown the approximate location of the RPA reforestation area and provided a note on the revised SE Plat that all proposed plants will comply with County requirements for species and shall be suitable for floodplain conditions. Staff has proposed a development condition to ensure that RPA reforestation is provided, subject to the approval of UFM, DPWES. With the adoption of the proposed development condition, staff believes the issue is resolved.

**Issue: RPA Barrier**

The proposed SE Plat showed an existing fence near the southern boundary of the RPA which will be removed. Staff noted that a fence at the RPA boundary would help protect the RPA from disturbance, and recommended that the applicant show the construction of a new fence at the southwestern boundary of the RPA/floodplain to clearly delineate this area on the site and discourage disturbance in this protected area.

**Resolution:**

A proposed replacement fence to be located at a minimum of 10 feet from the approved RPA delineation is now depicted on the revised SE Plat. Sheet 10, the "Alternate SE Plat" incorrectly depicts two fences: one which is located 10 feet from the County Mapped RPA line, the other located along the field verified RPA line. Staff proposes a development condition requiring the applicant keep the replacement fence a minimum of 10 feet outside the approved RPA delineation. With the adoption of this development condition, this issue is resolved.

**Transportation Analysis** (See Appendix 9)

The Fairfax County Department of Transportation (FCDOT) reviewed the initial SE plat and noted that the proposed pipestem driveway should be a minimum of 12 feet in width to meet PFM standards and the applicant must secure a 24-foot wide ingress/egress easement centered along the driveway. A revised SE Plat was submitted to show a 12-foot wide driveway within a 24-foot wide ingress/egress easement. No further transportation-related issues have been raised with this application; therefore, FCDOT does not object to its approval.

**Issue: Adequate Sight Distance**

The Virginia Department of Transportation (VDOT) indicated that the applicant should verify the adequacy of sight distance along Bishopsgate Way.

**Resolution:**

Staff has proposed a development condition that requires the applicant to verify adequate sight distance prior to subdivision approval. With the adoption of this development condition, this issue is resolved.

**Stormwater Management/BMP Analysis** (See Appendix 10)

There is a RPA on the northeast portion the application property with a regulated floodplain along the RPA. The applicant proposes to incorporate bioretention facilities, percolation trenches, vegetated swales and RPA reforestation into the development plan to meet SWM/BMP requirements and achieve a minimum 40% phosphorus removal efficiency, as required by the Chesapeake Bay Preservation Ordinance (CBPO).

**Issue: On-site Detention and Water Quality**

The applicant proposes on-site BMPs in the form of a single bioretention facility upon each lot to achieve 65% phosphorous removal. The applicant will be required to obtain a PFM (Section 6-1307.2) modification to allow for the bioretention facilities to be located on individual residential lots.

**Resolution:**

Prior to final subdivision plan approval from the Department of Public Works and Environmental Services (DPWES), the applicant will be required to obtain a modification of the Public Facilities Manual (PFM) to allow for the bioretention facilities to be located on individual residential lots. If DPWES does not approve these modifications, and the installation of another type of SWM/BMP facility is found not to be in substantial conformance with the SE Plat, then, per the staff proposed development conditions, the applicant will be required to apply for a

Special Exception Amendment (SEA) to provide the required facilities. It should be noted that the final determination of any water quantity and water quality waivers and/or facilities will be made by DPWES during subdivision plan review.

**Issue: Infiltration**

The applicant has indicated that bioretention facilities will be used to meet the stormwater detention requirements for the application site. The County's Soils Maps indicates that the soils on this property vary from poor to good for infiltration. The environmental assessment for the subject property demonstrates a significant amount of hydric soil associated with the Piney Run stream valley. Hydric soil may have a negative effect on the proper function of the proposed bioretention facilities. Staff recommended that the applicant verify whether the soils on site are conducive to meeting the infiltration rate requirements in order to utilize this method of detention. Additionally, staff recommended that if it is determined at subdivision plan approval that bioretention facilities will not meet the SWM/BMP requirements, then other low impact development (LID) techniques should be considered.

**Resolution:**

The proposed bioretention facilities will be installed with underdrains that connect to a percolation trench to assist each facility with detention. The applicant has proposed additional LID techniques such as the utilization of vegetated swales, porous materials for a portion of the driveway, as well as RPA reforestation. The use of multiple LID practices on the site is very effective in reducing the volume of water that leaves the site and may resolve potential problems posed by existing soil conditions. However, the applicant has elected not to provide the calculations per an infiltration study that would demonstrate that the subject facilities are suitable for infiltration purposes. The applicant will be required to conduct infiltration tests in accordance with the Letter to Industry #07-04 for the final design of the SWM facilities. Staff recommends a development condition which states that in the event DPWES does not approve the applicant's proposed infiltration trenches, and the installation of another type of SWM/BMP facility is found not to be in substantial conformance with the SE Plat, the applicant will be required to apply for a Special Exception Amendment (SEA) to provide the required facilities. With the implementation of the staff proposed development condition, this issue is resolved.

**Issue: Outfall Adequacy**

Per Paragraphs 2(c) and 2(d) of Section 9-011 of the Zoning Ordinance, an Outfall Narrative must be provided which describes the condition of the site outfall channel in terms of stability and capacity, along each site outfall downstream to a point where the watershed is at least 100 times the contributing site size or 1 square mile. While the applicant has provided a description and

outline of outfall, the applicant has elected not to include computational analysis for the outfall adequacy until the time of final engineering.

**Resolution:**

The applicant needs to include computational analysis for the outfall adequacy with final engineering. To ensure conformance with DPWES policies and regulations, staff has proposed a development condition which requires the applicant to provide adequate outfall in accordance with the PFM, as determined by DPWES, at the time of subdivision plan review. With the implementation of the staff proposed development condition, this issue is resolved.

**Issue: RPA Land Disturbance**

The applicant has proposed to remove two existing stables from the application property, one of which is located in the RPA. Removal of the existing stable from the RPA is deemed as land disturbance and requires DPWES approval of a Water Quality Impact Assessment (WQIA) for outfall and the removal of the stable.

**Resolution:**

Prior to subdivision plan approval, a WQIA needs to be submitted and approved by DPWES. Staff proposes a development condition which requires the applicant to submit a WQIA to DPWES for approval of outfall and land disturbance in the RPA. With the implementation of the staff proposed development condition, this issue is resolved.

**ZONING ORDINANCE PROVISIONS (See Appendix 11)**

<b>BULK STANDARDS (R-1 ZONING)</b>			
<b>Standard</b>	<b>Required</b>	<b>Proposed Lot 1</b>	<b>Proposed Lot 2</b>
Min. Lot Area	36,000 sq. ft.	39,864 sq. ft.	136,460 sq. ft.
Min. Lot Width	150 ft.	172 ft.	<b>6 ft.</b>
Building Height	35 ft. (maximum)	35 ft.	35 ft.
Front Yard	40 ft. (minimum)	187 ft.	53 ft.
Side Yard	20 ft. (minimum)	East = 37.9 ft. West = 20 ft.	East = 133 ft. West = 117 ft.
Rear Yard	25 ft. (minimum)	34.8 ft.	219 ft.
Density	1.0 du/ac (maximum)	0.89 du/ac (overall)	0.89 du/ac (overall)
Parking Spaces	2 spaces per unit	2 spaces	2 spaces
Tree Cover	20%	20% (7,773 sq. ft.)	20% (13,466 sq. ft.)

**OTHER ZONING ORDINANCE REQUIREMENTS:****Special Exception Requirements (See Appendix 12)**General Standards (Sect. 9-006)

**Paragraph 1** requires that the proposed use be in harmony with the *Comprehensive Plan*. As described in the Land Use Analysis section, the resulting density of the proposed development on the subject site would be 0.89 dwelling units per acre. Staff believes that the proposed density is in harmony with the *Comprehensive Plan* and the character of the surrounding neighborhood, which is also zoned and planned for .5 - 1 du/ac and composed of single-family detached dwellings. Therefore, this standard has been met.

**Paragraph 2** requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The R-1 District's *Purpose and Intent* states that the district was established to provide for single family detached dwellings at a density not to exceed one (1) dwelling unit per acre. As previously noted in the report, the application meets the R-1 District density requirement and all applicable Zoning Ordinance provisions other than the minimum lot width requirement; therefore this standard has been met.

**Paragraph 3** requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted *Comprehensive Plan*. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

The applicant is proposing the development of one (1) new single-family detached dwelling within the R-1 District, which is consistent and harmonious with the neighboring properties. Staff believes that the proposed SE application will not adversely affect the use or development of neighboring properties due to the surrounding area's unusual physical characteristics and existing building pattern. In particular, the properties within this subdivision are composed of a variety of lot sizes, lot shapes, and lot types (i.e. pipestem lots and conventional lots), and the existing dwellings throughout the neighborhood have a range of building heights, footprint sizes, building styles, varying yard setbacks and distances between dwellings. The applicant proposes to reforest the RPA, creating a buffer area where none currently exists for a perennial stream that traverses the northeast corner of the application site, and the surrounding residential development. Due to the physical variation in the neighborhood, staff believes that the applicant's proposal is consistent with neighboring properties and will not adversely affect existing or proposed development.

With regard to location, the applicant is meeting or exceeding all minimum yard requirements, and the proposed building footprints and building height are compatible with nearby residences. There are no screening or barrier requirements associated with the application. Though the proposed Lot 2 does not meet the minimum R-1 District lot width requirement, it does meet all other applicable zoning ordinance provisions. For these reasons, staff believes that the proposed application will not hinder or adversely impact the adjacent properties and that the applicant's proposal is in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan.

**Paragraph 4** states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. In staff's opinion, the proposed application, which will result in the addition of one (1) single-family dwelling within the neighborhood, will not create significant additional impacts on the surrounding public street system. In addition, the FCDOT has cited no transportation-related issues with the proposed application. It should be noted that VDOT has indicated that sight distances will need to be verified at the time of subdivision.

**Paragraph 5** states that in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. The Zoning Ordinance does not require screening and barriers between single-family detached dwellings. The minimum tree cover requirement in the R-1 District is 20%; the applicant is proposing 20%. The Urban Forest Management review of the SE application has determined that the tree cover requirement for each proposed lot is being met with this application. As noted, staff believes that preservation of trees on Lot 1 represents the most substantial tree save area on the application site and proposes development conditions to ensure their protection/preservation. As previously noted, the applicant proposes to reforest the RPA creating a buffer area where none currently exists. With the proposed RPA reforestation and the implementation of these development conditions, this standard has been met.

**Paragraph 6** states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. This standard is not applicable, as there is no requirement for open space in the R-1 District for conventional subdivisions.

**Paragraph 7** states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. As noted previously, at the time of subdivision, the applicant will be seeking a modification of the PFM to allow the proposed bioretention facilities to be located on individual residential lots. If DPWES does not approve these modifications, and any alternative SWM/BMP facility is found not to be in substantial conformance with

the SE Plat, then the applicant will be required to amend this SE. As required by the Zoning Ordinance, two off-street parking spaces will be provided for each of the single-family detached dwellings. Therefore, this standard is met.

*Paragraph 8 states that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. This standard is not applicable as there are no signs proposed with this application.*

#### **Provisions for Waiving Minimum Lot Size Requirements (Sect. 9-610)**

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirements for an R District, except for all cluster subdivisions; the minimum lot area and/or lot width requirements for a C-district; or the minimum district size requirement for the C-9 District; and the minimum district size, lot area and/or lot width requirements for an I district; but only in accordance with the following:

*Paragraph 1 states that such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance. The subject property has not been reduced in width or area since the effective date of the Zoning Ordinance; therefore, this standard has been satisfied.*

*Paragraph 2 states that the applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.*

The 4.02-acre subject property does not have a substantial amount of existing on-site tree canopy or significant vegetation. The most substantial vegetation on the site is concentrated primarily in the front yard (the southern half) of Lot 1. Of the thirty-six (36) on-site trees, the applicant is proposing to preserve twenty-nine (29) of these trees (which provides most of the 23% tree cover for Lot 1). Staff has added a number of development conditions to preserve and protect the on-site trees, to include tree preservation fencing, tree bonding, site monitoring, limits of clearing and grading, and root pruning provisions. Furthermore, the applicant proposes to add 25,682 SF of plant materials when the RPA reforestation (17,282 SF) is included in the tree cover calculations. In staff's opinion, the application proposes to preserve as much of the existing vegetation as possible and also establishes a RPA buffer area where none currently exists.

With regard to the preservation of topography, approximately 51% of the proposed Lot 2 is located in the RPA. Land disturbance in the RPA will be limited to RPA reforestation, the removal of the existing stable and the installation

of the proposed sanitary sewer laterals. The balance of the RPA will remain undisturbed as a result of this development. The applicant has provided on the SE Plat an exhibit illustrating topographical lines, as well as cross-sections depicting the existing and proposed grade changes. In staff's opinion, the proposed grade changes as depicted on the SE Plat, which are limited to the lower (southern) half of Lot 1 and the adjacent area of Lot 2, are necessary to channel the on-site stormwater and create a level building surface and will not significantly alter the site's existing topography. The redevelopment of the subject property will include the construction of two (2) on-site bioretention facilities (one per lot) which are designed to collect and treat most of the site's stormwater runoff and provide BMPs for the site. The applicant has also proposed to use multiple LID techniques such as percolation trenches and vegetated swales that will collect and channel most of the site's storm runoff into the ground, resulting in a reduced flow from the site. Finally, the applicant will mitigate the impact of new impervious surfaces by proposing porous materials (pavement and/or pavers) for the newly created portion of the driveway that will further improve water quality. The applicant proposes to abandon the existing septic field in favor of connecting both dwellings to public sewer.

With regard to historic resources, the FCPA has indicated that the subject property contains a landform that has a moderate to high potential for significant archeological resources. As such, the Park Authority recommends that the applicant performs a Phase I archeological survey, and subsequent surveys as determined appropriate by CRMPS. Staff has proposed a development condition to ensure that the applicant complies with this request.

In summary, staff believes that the proposed reforestation and landscape plans (which will protect/preserve a significant portion of the site's existing trees and topography); proposed stormwater management/BMP improvements (which will reduce flow and improve water quality); limited impact upon the site's existing topography; the mitigating impact of impervious surface design; and commitments that proactively identify and protect historic resources; demonstrates conformance with the requirements of Paragraph 2. With the adoption of the proposed development conditions, this standard has been met.

***Paragraph 3*** states that it shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways. As previously noted, there will be no change to the area roadways. The applicant is proposing to remove seven (7) on-site trees adjacent to the existing driveway located near the southwest quadrant of the subject property. Staff does not view the removal of these trees which are characterized to be of minimal quality by UFM, as having a deleterious effect upon the existing development of the adjoining property to the east or the HOA Common Area to the west. As noted, staff has added development conditions to ensure that tree preservation practices and substantial tree protection fencing along the limits of clearing and grading. Staff finds that with

the adoption of the proposed development conditions, this standard will be satisfied.

*Paragraph 4 states that such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.* As noted, the application satisfies all applicable Zoning Ordinance provisions other than the R-1 District minimum lot width requirement. As such, this standard has been met.

## CONCLUSIONS AND RECOMMENDATIONS

### Staff Conclusions

As previously discussed, this application is a request for a Category 6 Special Exception to permit a waiver of minimum lot width requirement in order to re-subdivide two existing lots totaling 4.02 acres zoned R-1, into two new lots, one with a lot width of 172 ft. (Lot 1) and the other with a lot width of 6 ft. (Lot 2). The applicant proposes to retain the subject property's existing two-story single-family detached dwelling and to develop one (1) new single-family detached dwelling, resulting in one dwelling on each of the two (2) newly created lots (*referenced as Lot 1 and Lot 2 on the SE Plat*). The resulting overall density would be 0.89 dwelling units per acre. Staff believes that the application is in harmony with the land use recommendations of the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

### Staff Recommendations

Staff recommends approval of SE 2008-HM-023 subject to the proposed Development Conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

## APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification

**APPENDICES (Cont.)**

4. Comprehensive Plan Citations
5. Environmental Analysis
6. Park Authority Analysis
7. Environmental Hazards Investigation Analysis
8. Urban Forest Management Analysis
9. Transportation Analysis
10. Stormwater Management/Best Management Practices Analysis
11. Sanitary Sewer Analysis
12. Zoning Ordinance Requirements
13. Glossary of Terms

**PROPOSED DEVELOPMENT CONDITIONS**

**SE 2008-HM-023**

**November 26, 2008**

If it is the intent of the Board of Supervisors to approve SE 2008-HM-023 located at 1203 Bishopsgate Way, Tax Map 12-3 ((7)) 4A, 24A to permit a waiver of the minimum lot width requirement, pursuant to Sect. 9-610 of the Fairfax County Zoning Ordinance, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. Replacement of the existing structure, accessory structures, extensions, and/or additions that conform with the applicable Zoning Ordinance provisions and these development conditions, as determined by the Zoning Administrator, may be permitted without an amendment to this Special Exception.
3. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "*Anderson Property Special Exception Plat*", prepared by VIKA, Inc., dated April 16, 2008, as revised through October 10, 2008. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Hazardous Soils: The Applicant shall comply with DPWES should it determine that a potential health risk exists due to the presence of asbestos containing rock on the application property. The Applicant shall:
  - a) Take appropriate measures as determined by the Health Department to alert all construction personnel as to the potential health risks, and
  - b) Commit to appropriate construction techniques as determined by DPWES in coordination with the Health Department to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities and covered transportation of removed materials presenting this risk, and appropriate disposal.
5. Sight Distance: Prior to subdivision plat approval, adequate sight distance shall be provided from the entrance along Bishopsgate Way onto the application property as determined by VDOT.
6. Ingress/Egress Access Easement: A 24-foot wide ingress/egress access easement in a form approved by the County Attorney shall be placed and recorded in the land records by the applicant over the existing driveway

that is to be shared by Lot 1 and Lot 2. The existing driveway shall be improved to a minimum width of twelve feet.

7. Pervious Surface Driveway: The improved shared driveway shall consist of pavement that extends from the entrance along Bishopsgate Way to the new proposed driveway extension. The remaining portion of the existing driveway that extends to the existing residence, as well as the proposed driveway extension to Lot 2, shall be constructed of porous materials such as pervious pavement and/or porous pavers as approved by DPWES.
8. Tree Preservation: The applicant shall submit a Tree Preservation plan as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 8 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading as shown on the Special Exception Plat for the entire site. Irrespective of that shown on the SE Plat, the tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the Special Exception Plat and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. The applicant shall also submit concurrently a monetary value for each tree surveyed that is to be preserved. The monetary values shall be determined using the Trunk Formula Method contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, and shall be subject to review and approval by UFMD. The Location Factor of the Trunk Formula Method shall be based on projected post-development Contribution and Placements ratings. The Site rating component shall be equal to at least 80%. The combined total of monetary values identified in the approved Tree Preservation Plan for trees designated to be preserved shall serve as a baseline sum in determining the amount of the Tree Bond.
9. Tree Bond: A letter of credit, or a cash contribution equal to one half (50%) of the total monetary value of trees to be designated to be preserved as identified above shall be placed with the County. The Tree Bond letter of credit shall be prepared in a manner acceptable to the County Attorney naming the County as beneficiary to ensure the preservation, conservation, replacement, removal and/or treatment of the trees identified in the Tree Preservation Plan, and to ensure the

undisturbed areas identified on the approved SE. The cash or Tree Bond shall be held by the County as a cash reserve that can be used by the County to ensure the preservation, conservation, replacement, removal and/or treatment of the trees identified in the Tree Preservation Plan and as approved on the subdivision plan, and for work relating to the protection and management of undisturbed areas identified on the approved SE. If the applicant fails to complete any work identified in the approved subdivision plan, then the County may use cash or money from the Tree Bond to accomplish the required work. If the County must use all or part of the cash or Tree Bond to accomplish the outstanding work, then the applicant will replenish the cash or Tree Bond to its full amount. If the applicant fails to replenish the cash or Tree Bond to its full amount, then the cash or Tree Bond may be used by the County to replenish the Tree Preservation Deposit to its full amount. The cash/Tree Bond may be used by the County as described in the Tree Preservation condition, above. Any cash or funds remaining in the Tree Bond shall be released along with the project's final bond-release, or sooner, if approved in writing by UFMD, DPWES.

10. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chainsaw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
11. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the Special Exception Plat, subject to allowances specified on the SE Plat, in these conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the Special Exception Plat, they shall be located in the least disruptive manner necessary as determined by UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

12. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD, DPWES.
13. Root Pruning and Mulching: The Applicant shall root prune and mulch, as needed to comply with the tree preservation requirements of these conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
  - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
  - Root pruning shall be conducted with the supervision of a certified arborist.
  - Immediately after the phase II E&S activities are complete, mulch shall be applied at a depth of 3 inches within designated areas without the use of motorized equipment.
  - Mulch shall consist of wood chips, shredded hardwood and/or pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
  - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

14. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted in conformance with these conditions and as approved by UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall include once weekly inspections during phase I activities and once monthly inspections during phase II activities. This schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFMD, DPWES.
15. Stormwater Management (SWM) and Best Management Practices (BMP): SWM and BMP measures may be provided via bioretention facilities and percolation trenches as shown on the SE Plat as determined by DPWES, which shall be privately maintained. If a modification of the PFM to permit the proposed stormwater management/best management practices as shown on the SE Plat is not granted by DPWES and SWM/BMP facilities in substantial conformance with the SE Plat cannot be provided, then a Special Exception Amendment (SEA) shall be filed to provide water quantity and quality control measures in accordance with the PFM as determined by DPWES. Prior to record plat approval, residential covenants shall be recorded in the County Land Records which disclose to the existing and all subsequent property owners the maintenance obligations of the bioretention facilities and infiltration trenches.
16. Adequate Outfall: Adequate outfall shall be demonstrated in accordance with the PFM, as determined by DPWES, at the time of Subdivision plan review.
17. Water Quality Impact Assessment (WQIA): The applicant shall submit for review and approval by DPWES, a WQIA prior to any land disturbance in the RPA.
18. RPA Protection: The RPA shall be delineated on the SE Plat and, except as qualified in Development Conditions 15, 16 and herein, shall remain undisturbed open space. In the event that DPWES does not approve the field verified RPA delineation as depicted on Sheet 2 of the SE Plat, then the Alternative SE Plat (Sheet 10) shall be utilized. In the RPA areas, except as otherwise provided above, there shall be no clearing of vegetation, except for invasive, dead or dying trees or shrubs per the recommendations of UFM. Any work occurring in or adjacent to the RPA, such as removal of stables; installation of tree protection fencing and silt control devices; removal of trash, or plant debris; or extraction of trees designated to be removed shall be performed in a manner that minimizes disturbance of the RPA. The use of power equipment in the RPA area shall be limited to small hand-operated equipment such as chainsaws. Any work that requires the use of larger motorized equipment such as, but

not limited to, tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, or any accessory or attachment connected to such equipment shall not occur unless reviewed and approved in writing by UFM.

19. Replacement Fence: Irrespective of that shown on the SE Plat, the applicant shall remove the existing wood fence along the EQC/County Mapped 100-year Floodplain, and install one (1) fence which shall be located a minimum of 10 feet outside of the approved RPA boundary as approved by UFM.
20. RPA Reforestation: A reforestation plan for the RPA located in the northern portion of the application property shall be submitted concurrently with the first and all subsequent plan submissions for review and approval by Urban Forest Management, DPWES, and shall be implemented as approved. The plan shall propose an appropriate selection of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to the following:
  - plant list detailing species, sizes and stock type of trees and other vegetation to be planted
  - soil treatments and amendments if necessary
  - mulching specifications
  - methods of installation
  - maintenance
  - mortality threshold
  - monitoring
  - replacement schedule
21. LID Techniques: A vegetated swale shall be provided adjacent to a portion of the proposed driveways serving Lot 1 and Lot 2 as shown on the SE Plat for the purpose of reducing the volume of runoff leaving the site.
22. Archaeology: Prior to any land disturbing activities, the applicant shall conduct a Phase I archaeological study of the application property, using a scope of work provided by the Park Authority, and provide the results of such studies to the Cultural Resource Management and Protection (CRMP) section of the Fairfax County Park Authority. If deemed necessary by CRMP, the applicant shall perform a Phase II and/or Phase III archaeological study on only those areas of the application property identified for further study by CRMP. The studies shall be conducted by a qualified archaeological professional approved by CRMP, and shall be submitted within 30 days of the completion of the study or survey for CRMP review and approval. At the completion of any cultural resource studies, field notes, photographs and artifacts shall also be submitted to

CRMP within 30 days. The studies shall be completed prior to site plan approval.

23. Garages shall be designed to accommodate two (2) vehicles. A covenant shall be recorded in the land records of Fairfax County which provides that garages shall only be used for a purpose that will not interfere with the intended purpose of garages (i.e., the parking of vehicles). This covenant shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of either lot and shall inure to the benefit of Fairfax County. Initial purchasers shall be advised of the use restriction prior to entering into a contract of sale.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: September 8, 2008  
 (enter date affidavit is notarized)

I, Keith C. Martin, Agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below

1014896

in Application No.(s): SE 2008-HM-023  
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE**,\*\* each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Keith and Stephanie Anderson	1203 Bishopsgate Way Reston, VA 21094	Applicants/Title Owner
Sack Harris & Martin, P.C. Keith C. Martin Wanda S. Suder	8270 Greensboro Drive, Suite 810 McLean, VA 22102	Attorneys/Agents Attorney/Agent Agent/Planner
VIKA, Inc. John F. Amatetti	8180 Greensboro Drive, Suite 200 McLean, VA 22102	Engineers/Agents Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 8, 2008  
(enter date affidavit is notarized)

1014896

for Application No. (s): SE 2008-HM-023  
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)**

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name and number, street, city, state, and zip code) Sack Harris & Martin, P.C.  
8270 Greensboro Drive, Suite 810  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial and last name)

James M. Sack  
Robert A. Harris, IV  
Keith C. Martin

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Special Exception Attachment to Par. 1(b)**

DATE: September 8, 2008  
(enter date affidavit is notarized)

1014896

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA Incorporated  
8180 Greensboro Drive, Suite 200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

John F. Amatetti	Harry L. Jenkins
Charles A. Irish, Jr.	Mark G. Morelock
Robert R. Cochran	Jeffrey B. Amateau
	Kyle U. Oliver

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 8, 2008  
(enter date affidavit is notarized)

1014896

for Application No. (s): SE 2008-HM-023  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) [ ] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 8, 2008  
(enter date affidavit is notarized)

101489e

for Application No. (s): SE 2008-HM-023  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: September 8, 2008  
(enter date affidavit is notarized)

1014896

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

None

**NOTE:** Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

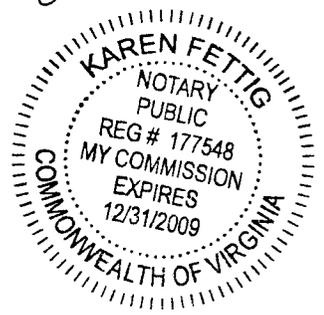
(check one) [ ] Applicant [x] Applicant's Authorized Agent

Keith C. Martin, Agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 8th day of September 20 08, in the State/Comm. of Virginia, County/City of Fairfax

Karen Fetting  
Notary Public

My commission expires: 12.31.2009



## SACK HARRIS &amp; MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810  
8270 GREENSBORO DRIVE  
MCLEAN, VIRGINIA 22102  
TELEPHONE (703) 883-0102  
FACSIMILE (703) 883-0108

June 16, 2008

Zoning Evaluation Division  
RECEIVED  
JUN 19 2008  
Department of Planning & Zoning

Ms. Regina Coyle  
Department of Planning and Zoning  
12055 Government Center Parkway  
Suite 801  
Fairfax, Virginia 22035

Re: Special Exception for Waiving Minimum Lot Width Requirement  
Tax Map 12-3((7))4A, 24A  
1203 Bishopsgate Way  
Applicant: Keith and Stephanie Anderson

Dear Ms. Coyle:

The following is submitted as a revised statement of justification for the above referenced Special Exception for waiving minimum lot width. The Application Property is 4.02 acres in size and is located on the west side of Bishopsgate Way in the Hunter Mill District. The Applicants and title owners, Keith and Stephanie Anderson desire to subdivide the lot and outlot into two (2) lots (Lot 1 38,864 square feet, and Lot 2 136,460 square feet) having a lot width of 173 feet for Lot 1 and 6 feet for Lot 2. The existing house is situated on the front side of the parcel 24A and would be located on proposed Lot 1. A new house is proposed on future Lot 2.

Approximately 50% of proposed Lot 2 is located in 100 year floodplain and Resource Protection Area (RPA). The entire floodplain and RPA will remain undisturbed. Furthermore, existing structures will be removed and the area restored to a natural condition. The entire area will be reforested with native seedlings to restore the area to a natural habitat.

It is submitted that this application meets the criteria set forth in Article 9-610 as follows:

1. The lot has not been reduced in width or area since the effective date of the Zoning Ordinance.

2. The waiver results in a development that preserves existing vegetation and minimizes impervious surfaces and improves stormwater management systems. The Property has very few existing, mature trees. Only five white pines are proposed to be removed to allow

## SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle  
June 16, 2008  
Page 2 of 4

for a common driveway. A portion of the existing driveway, a barn, fence sections and existing encroachments of the house will be removed and the areas will be restored to a natural condition. The 2 Lots will connect to public sewer and the existing drain field will be removed.

3. The development will not have any deleterious effect on the existing development of adjacent properties or on area roadways. The Applicants have determined that the Property has a by right development potential of three lots by constructing a public street with a cul-de-sac. Nevertheless, the Applicant desires to develop a less intensive and environmentally sensitive two lot project.

4. All remaining provisions of the Ordinance are satisfied.

It is further submitted that the application is in conformance with the recommendations of the Comprehensive Plan. The Comprehensive Plan recommends residential development at a density of 0.5 to 1.0 unit per acre. The resulting density of the subdivision is approximately 0.6 unit per acre.

The Application satisfies the Residential Development criteria as follows:

1. Site Design:

(a) Consolidation: The proposal consists of a consolidation and resubdivision of a lot and an outlet.

(b) Layout. The proposed layout:

- provides logical, functional and appropriate relationships among the existing and proposed dwelling units and proposes to enhance open space by revegetating the RPA
- appropriately orients the proposed dwelling unit toward Bishopsgate Way
- includes usable yard areas that accommodate future decks and accessory structures
- provides logical relationships of yards, the orientation of the dwelling units and the use of a pipestem lot

(c) Open Space: There is no open space requirement in the R-1 District; however a major portions of the rear lot will consist of undisturbed open space that will be revegetated with native species.

**SACK HARRIS & MARTIN, P.C.**

Ms. Regina Coyle

June 16, 2008

Page 3 of 4

(d) Landscaping: As stated above, the RPA will be revegetated with native species.

(e) Amenities: The proposed lots abut the HOA recreation area.

2. Neighborhood Context. The proposed design fits into the surrounding community. The two lots will abut the HOA recreation area and the HOA open space on the north and west. The proposed lot sizes are equal to or much larger than surrounding lots. The bulk/mass setbacks and orientations on the existing and proposed dwelling units are consistent with the other homes in the Ascot Neighborhood.

3. Environmental:

(a) Preservation: The proposed development conserves natural environmental resources by protecting and enhancing the RPA portion of the property.

(b) Slopes and Soils: There are no topographic conditions and soils characteristics in the area for the proposed unit.

(c) Water Quality: The Applicant proposes a bioretention filter in the rear lot.

(d) Drainage: Stormwater runoff will be managed through use of open space and a bioretention filter.

(e) Noise: There are no adverse noise impacts anticipated.

(f) Lighting: Exterior lighting fixtures will minimize glare.

(g) Energy: The proposed unit will incorporate energy saving appliances and heating and cooling systems.

4. Tree preservation and Tree Cover Requirements: The proposed development will only result in the loss of several white pines along the western property line. The RPA will be revegetated with native species.

5. Transportation: There are no known required or needed transportation improvements in the vicinity generated by the addition of one lot. The proposed lots have direct access onto Bishopsgate Way.

**SACK HARRIS & MARTIN, P.C.**

Ms. Regina Coyle  
June 16, 2008  
Page 4 of 4

6. Public Facilities: The addition of one lot will not generate the need for any additional public facilities.

7. Affordable Housing: The Applicant will make the appropriate Housing Trust Fund contribution.

8. Heritage Resources: There are no known Heritage Resources to be protected on site.

Very truly yours,

**SACK HARRIS & MARTIN, P.C.**

A handwritten signature in black ink, appearing to read "Keith C. Martin", with a stylized flourish at the end.

Keith C. Martin

cc: Keith Anderson

## UP5 RESTON COMMUNITY PLANNING SECTOR

### CHARACTER

Reston has its own Master Plan because the community was planned and developed as one of the nation's landmark new towns, beginning in the 1960s. It is located between Tysons Corner and the Washington Dulles International Airport along the Dulles Airport Access Road and extends as far north as Route 7 and as far south as Stuart Mill Road. With its planned development almost complete, Reston is comprised of 7,100 acres and may ultimately be the home of more than 60,000 people. This new town is designed around the concept of clustering the community into five "villages," each with its own village center. These centers provide for neighborhood-serving retail, office, and social needs.

The community is focused around the Town Center, an urban concentration of high-density housing, offices and cultural facilities. Substantial office development has occurred in recent years along the Dulles Airport Access Road, increasing development pressure both within and adjacent to the community. (This area is further addressed in the Reston-Herndon Suburban Center.) An integral part of the Reston Plan is the lower density residential development located on Reston's periphery, buffering adjacent areas from the higher density development in Reston.

Reston offers a wide range of housing, including high-rise apartments, garden apartments, townhouses, and single-family detached and semi-detached homes. The majority of dwellings in this sector were built after 1975. There are approximately 1,300 low- and moderate-income units in Reston. This housing includes units for the elderly which are found mostly in the village centers. There is scattered new and older residential development outside Reston. Generally these areas are planned to maintain a low density residential character, including areas along Route 7.

### CONCEPT FOR FUTURE DEVELOPMENT

The Concept for Future Development recommends that the Reston Community Planning Sector be designated as primarily Suburban Neighborhoods. A portion of the Reston-Herndon Suburban Center is located in the sector and is discussed in a separate section of the Upper Potomac Planning District portion of the Area III Plan.

### RECOMMENDATIONS

#### Land Use

The Reston Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-defined, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

3. The Village Centers in Reston should be planned and developed for neighborhood retail use up to .25 FAR, integrated with accessory office uses, community services, and residential development. [Not shown]
4. Well-defined stable residential neighborhoods exist throughout Reston. However, because of nearby commercial and other non-residential uses, these neighborhoods can be threatened by development or redevelopment, and therefore are particularly in need of protection. The design of all new infill projects or redevelopment projects should be compatible with existing and planned residential neighborhoods. [Not shown]
5. Land within the immediate vicinity of future rail station sites may be suitable for joint development in a phased manner, coordinated with plans for transit development. [Not shown]
6. Recognizing the unique nature of the Reston Association in the development of natural and open areas and recreation amenities within the boundaries of the Reston Master Plan, the County and the Reston Association should work together in a public/private partnership in attaining the goals and objectives outlined in the Comprehensive Plan under Land Use, Goals 14 and 15; Parks and Recreation; Public Facilities; Environment, and Transportation. [Not shown]
7. Parcel 26-1 ((13))1 is planned and developed as an existing church on the Community Facilities Plan component of the Reston Master Plan. Due in part to the convenient public transportation and nearby community services, as an option, the parcel may be redeveloped as elderly housing, age 62 and over, subject to the following:
  - The development should be designed to functionally relate to existing residential uses in the area;
  - A minimum 65 foot wide buffer should be provided from existing edge of pavement of Reston Parkway. A substantial vegetated buffer should be provided to serve as a transition to adjacent multi-family residential uses. Existing vegetation should be preserved as deemed appropriate by the Urban Forest Management Division and Reston Association;
  - Affordable housing at a minimum of 20 percent of the total number of units should be provided;
  - Restoration and enhancement of the impaired Snakeden Stream Valley that is located in the northern portion of the parcel should coincide with redevelopment; and
  - Pedestrian access from the site to the Snakeden Stream Valley trail, the abutting multi-family housing development to the south, the Village Center to the east, and Colts Neck Road should be provided.

#### **Land on the Periphery of Reston**

8. Land between Stuart Road, Route 7, and Reston should be planned for residential use at .5-1 dwelling unit per acre as shown on the Plan map. As an option, Tax Map 11-

2((1))47A may be developed at a density of 1-2 dwelling units per acre to provide an appropriate transition between the higher density residential development that exists and is planned for the area to the south and to the east and the low density development to the west. Buffering should be provided to the extent possible along the western boundary to ensure a suitable transition.

9. An area located adjacent to the Reston Planned Residential Community near Center Harbor Road is planned for residential use at 1-2 dwelling units per acre as shown on the Plan map. Development at this density should occur if the land is developed as a functionally integral part of Reston.
10. The area north of Baron Cameron Avenue and east of the Reston boundary (including Tax Map 12-3((1))part of 21, 21D, 22, 23 and 24) is planned for 2-3 dwelling units per acre as shown on the Plan map. Development in this area should provide substantial buffers to existing residential development and along Baron Cameron Avenue. (See Land Use Recommendation #10 for additional Plan guidance.)
11. The area south of Leesburg Pike (Route 7) and north of Baron Cameron Avenue is planned for residential use at .5-1 and 2-3 dwelling units per acre. This includes the area south of the Ascot subdivision. Residential development in this area should help to maintain a low density buffer around Reston. This area is identified in Figure 40 as Land Unit A (Tax Map 12-3((1))18A , 19A, and part of 21).

Due to the different Plan density ranges assigned to this area, coordinated development under a unified development plan is encouraged as a way to provide effective transitions between the area planned 2-3 and the area planned .5-1 dwelling units per acre. The overall density will be determined by averaging the Plan ranges, by land area, over the entire site. The high end of the density range can be achieved only if the following conditions are met:

- Complete consolidation of all parcels within Land Unit A and provision of interparcel access, coordination of lot layouts, pathways and circulation system with adjoining properties;
- No roadway connects with Bishopsgate Way;
- The development incorporates substantial open space and facilities for active recreation;
- No commercial development should occur. The Reston Farm Market located on Baron Cameron Avenue is a non-conforming use;
- Substantial buffers are provided along the frontages of Route 7 and Baron Cameron Avenue;
- Lots abutting the Ascot subdivision and the Reston PRC should be developed in a similar size (a minimum of 36,000 square feet) to foster compatibility with these existing communities; and
- Satisfactory transportation improvements as determined by the County.



# County of Fairfax, Virginia

## MEMORANDUM

October 20, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief  
Environment and Development Review Branch, DPZ

**SUBJECT:** Environmental Assessment: SE 2008-HM-023  
Anderson

This memorandum, prepared by Mary Ann Welton, AICP, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject special exception application for this property and the revised special exception plat, dated September 16, 2008. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 7-9, the Plan states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .
- Minimize the amount of impervious surface created.
  - Where feasible, convey drainage from impervious areas into pervious areas. . . .
  - Encourage the preservation of wooded areas. . . .
  - Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
  - Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
  - Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
  - Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
  - Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 10, the Plan states:

**“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

- Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 12, states:

**“Objective 6:       Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.**

Policy a:       Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

Policy b:       Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 16, the Plan states:

**“Objective 10:       Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

Policy a:       Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .

Policy b:       Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

## **ENVIRONMENTAL ANALYSIS**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county’s remaining natural amenities.

The 4.02 acre subject property is located on the east side of Bishopsgate Way surrounded on the north and east by the Piney Run stream valley Resource Protection Area (RPA), 100 year floodplain and Environmental Quality Corridor (EQC). The Ascot Subdivision surrounds the subject site on the south and west. This application requests approval to waive the minimum lot width to allow this single, four-acre subject property to be subdivided into two lots in the R-1 Zoning District. Applying the density penalty to the subject property, the proposed density is 2 units for 3.8 acres of land in an area which is planned for .5-1 dwelling units per acre.

**Stormwater Management/Water Quality Protection:** The subject property falls within the Difficult Run watershed as well as with the County’s Chesapeake Bay Preservation Area. Piney Run traverses in a northwest southeast direction immediately east of the

subject property. This application proposes to install a 40'x25' bioretention facility to accommodate the water quality requirements for both lots located in the north corner of proposed lot 2 adjacent to the RPA. The applicant seeks a waiver of the PFM requirement which stipulates that a bio-retention facility for two lots be placed in an outlot. In the event that the waiver is not granted, the applicant has demonstrated the placement of two separate bioretention facilities on each lot as opposed to one facility to serve both lots. The environmental assessment for the subject property demonstrates a significant amount of hydric soil associated with the Piney Run stream valley. Hydric soil may have a negative effect on the proper function of the proposed bioretention facility located on proposed lot 2; however, this facility will be installed with an underdrain which should resolve any potential problem posed by the existing soil.

**Adequate Outfall:** The outfall narrative indicates that the runoff from the property flows to the Piney Run stream valley east of the subject property. The consulting engineer indicates that the natural receiving channel is stable and in his opinion the outfall for the proposed two lot subdivision is adequate. The adequacy of any proposed SWM/BMP measures and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

**Soil Constraints:** A swathe of Orange Soil which is characterized by naturally occurring asbestos is located on west side of proposed lots 1 and 2. The Fairfax County Health Department has developed directives that outline the standard operating procedure recommended by the Occupational Safety and Health Administration (OSHA) for protection of construction workers as well as general site containment in areas where naturally occurring asbestos is present. The applicant should ensure conformance with the Health Department directive regarding containment of naturally occurring asbestos through a development condition for this application.

**Restoration of Vegetation:** The subject property had been used as a horse farm; consequently, much of the land area including the RPA is open field and is not densely vegetated. As part of this request the applicant has proposed a significant landscape restoration plan for the two new lots and the RPA. This measure should improve overall water quality in Piney Run.

## COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan map depicts a minor paved trail (described as asphalt or concrete varying in width from 4' - 7'11") along the stream reach of Piney Run adjacent to the subject property. Analysis of the aerial photography indicates that the trail currently exists on the northeast side of the stream opposite the subject property.

PGN: MAW



# FAIRFAX COUNTY PARK AUTHORITY

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## M E M O R A N D U M



**TO:** Regina M. Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, Branch Manager.  
Planning and Development Division 

**DATE:** July 29, 2008

**SUBJECT:** SE 2008-HM-023; Anderson Property  
Tax Map Numbers: 12-3((7)) 4A, 24A

### **BACKGROUND**

The Park Authority staff has reviewed the proposed Development Plan dated June 18, 2008, for the above referenced application. The application proposes waiving the minimum lot width in order to subdivide the property and allow for the construction of one additional house.

### **COMPREHENSIVE PLAN CITATIONS**

**1. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)**

**“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”**

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

**2. Heritage Resources (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)**

**“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”**

The site contains a landform that has a moderate to high potential for significant archeological resources archeological sites. The flat, elevated terrace between the westernmost stable and the adjacent floodplain, if a natural landform, would be the potential area of significance.

The area mentioned above should be subjected to a tight interval Phase I archeological survey, using a scope of work provided by the Park Authority.

If any archeological resources are found by the Phase I survey and determined to be potentially significant then a Phase II assessment should be done. If any sites are determined to be significant then either they should be avoided or Phase III data recoveries should be performed in accordance with a scope provided by the CRMPS. Any Phase III scopes will provide for public interpretation of the results.

The Park Authority requests that the applicant provide one copy of the Archaeology Report(s) to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study or survey. Should significant archaeological resources be discovered, the Park Authority requests that further archaeological studies be conducted and copies of the reports provided to the Cultural Resource Management and Protection section (CRMP). At the completion of any cultural resource studies, field notes, photographs and artifacts should be submitted to CRMP within 30 days.

FCPA Reviewer: Pat Rosend  
DPZ Coordinator: Shelby Johnson

Copy: Cindy Walsh, Acting Director, Resource Management Division  
Chron Binder  
File Copy

RECEIVED  
Department of Planning & Zoning  
AUG 08 2008  
Zoning Evaluation Division



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** July 8, 2008

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division

**THROUGH:** Tom Crow, Director  
Environmental Health

**THROUGH:** Glenn Smith, Program Manager  
Environmental Hazards Investigation Section

**FROM:** Shannon McKeon, Environmental Specialist II  
Environmental Hazards Investigation Section

**SUBJECT:** Application No. SE 2008-HM-023

The Soils Map indicates that "orange soils" or actinolite/tremolite mineral deposits are present at this proposed construction site. Therefore, a potential health hazard exists at this location for naturally occurring asbestos.

Special safety precautions are required to construct and develop projects in "orange soils". These safety precautions are designed to protect the public's health, as well as the health and safety of personnel who develop and construct these projects. These directives must be implemented, in order to proceed with the project.

The Health Department has additional information for naturally occurring asbestos soils on our website at <http://www.fairfaxcounty.gov/hd/asb/>. If you have any questions, please contact John Yetman at 703-246-8488.





# County of Fairfax, Virginia

## MEMORANDUM

September 23, 2008

**TO:** Shelby Johnson, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II *HWN*  
Forest Conservation Branch, DPWES

**SUBJECT:** Anderson Property (1203 Bishopsgate Way), SE 2008-HM-023

I have reviewed the above referenced Special Exception application stamped as received by Zoning Evaluation Division on September 18, 2008. The following comments are based on this review and a site visit conduct during review of previous submissions of this application.

1. **Comment:** The conceptual landscape plan and tree cover calculation do not appear to take tree cover credit for trees/seedlings proposed for planting to establish the required buffer for the RPA.

**Recommendation:** Tree cover may be taken at a rate of 25 percent of the area planted in seedlings when the area was not forested prior to development. The number of trees shown to be planted on Lot 2 may then be reduced. If tree cover credit is taken for planting proposed within the RPA. Revise the tree cover calculation to reflect any changes.

If there are any further questions, please contact me at 703-324-1770.

HCW/  
UFMID #: 138681

cc: RA File  
DPZ File

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)





# County of Fairfax, Virginia

## MEMORANDUM

September 2, 2008

**TO:** Shelby Johnson, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II *HW*  
Forest Conservation Branch, DPWES

**SUBJECT:** Urban Forest Management Division comments and recommendations

**RE:** Anderson Property (1203 Bishopsgate Way), SE 2008-HM-023

I have reviewed the above referenced Special Exception application, stamped as received by Zoning Evaluation Division on August 14, 2008. The following comments and recommendations are based on this review and a site visit conducted on August 4, 2008.

1. **Comment:** The tree cover calculation indicates that 12, 725 sq. ft. of tree cover will be provided by trees to be planted on this site. Proposed trees are not shown on the Special Exception (SE) Plat.

**Recommendation:** Show proposed trees on the SE Plat. Include proposed locations that contribute to energy conservation for the existing and proposed dwellings as illustrated in PFM Plate 3-12 (attached).

2. **Comment:** The SE Plat shows no buffer for Piney Run, a perennial stream. As stated in Section 118-1-7. Areas of Applicability: This Chapter and all regulations adopted hereunder shall apply to all land located within the unincorporated areas of Fairfax County.

RPAs shall include any land characterized by one or more of the following features:

- (1) A tidal wetland;
- (2) A tidal shore;
- (3) **A water body with perennial flow;**
- (4) A nontidal wetland connected by surface flow and contiguous to a tidal wetland or water body with perennial flow;
- (5) A buffer area as follows:

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Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division

12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



(i) **Any land within a major floodplain;**

(ii) Any land within 100 feet of a feature listed in Sections 118-1-7(b)(1)-(4).

Also note Section 118-3-3. Additional Performance Criteria for Resource Protection Areas.

(d) Buffer area requirements: **To minimize the adverse effects of human activities on the other components of the RPA, state waters, and aquatic life, a buffer area that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained, if present, and established where it does not exist.**

Notwithstanding permitted uses, encroachments, and vegetation clearing, authorized by this Chapter, the buffer area is not reduced in width. Where land uses such as agriculture or silviculture within the area of the buffer cease and the lands are proposed to be converted to other uses, the full buffer shall be reestablished in accordance with:

Section 118-3-3(f) Buffer area establishment: Where buffer areas are to be established, they shall consist of a mixture of overstory trees, understory trees, shrubs and groundcovers. The density of overstory trees shall be a minimum of 100 trees per acre. The density of understory trees shall be a minimum of 200 trees per acre. The density of shrubs shall be a minimum of 1089 plants per acre. If seedlings are used instead of container plants, the density of trees shall be doubled. Large caliper trees shall not be planted on slopes steeper than 2:1. Plant materials shall be randomly placed to achieve a relatively even spacing throughout the buffer. The Director may approve the use of a seed mixture as a supplement to or in lieu of individual plants for shrubs and groundcovers. Plants shall be native to the degree practical and adaptable to site conditions. Wetland plantings (including herbaceous plantings) and/or wetland seed mix shall be used where site conditions warrant. Plant materials and planting techniques shall be as specified in the Public Facilities Manual.

**Recommendation:** Indicate the area on the SE Plat where a reforestation plan shall be implemented within the RPA. Attached is a list of trees and shrubs suitable for planting in RPAs. As the buffer to be established on the Anderson Property is within the floodplain, species selected for planting should be chosen from those suitable for floodplains as indicated.

3. **Comment:** The proposed SE Plat shows an existing fence near the boundary of the RPA. A note indicates that this fence will be removed. A fence at the RPA boundary would help protect the RPA from disturbance.

**Recommendation:** Remove the existing fence and show the construction of a new fence at the southwestern boundary of the RPA/floodplain to clearly delineate this area on the site and discourage disturbance in this protected area.



Anderson Property (1203 Bishopsgate Way)  
SE 2008-HM-023  
September 2, 2008  
Page 3 of 3

If you have any questions, please contact me at 703-324-1770.

HCW/  
UFMID #: 138681

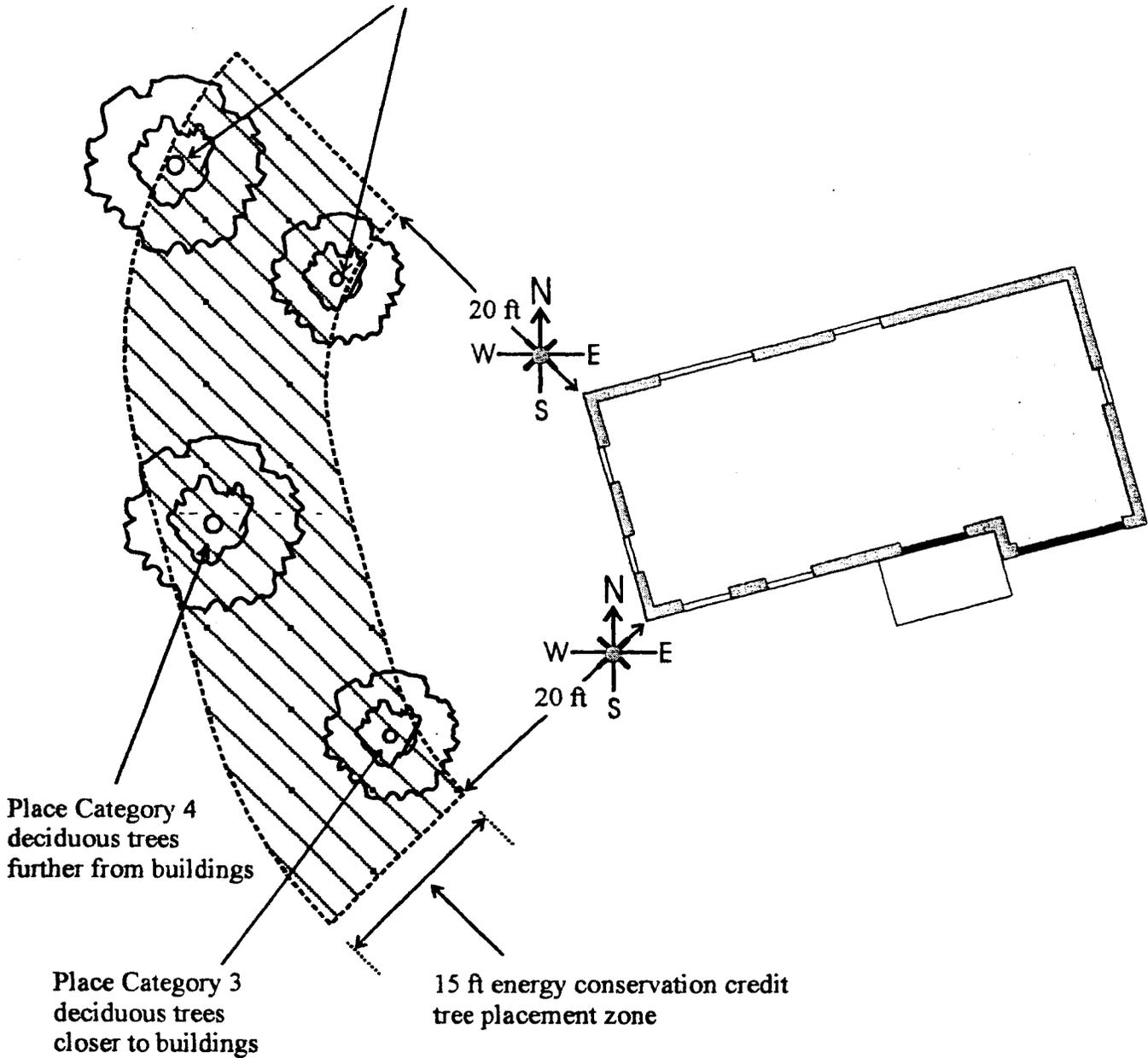
Attachments PFM Plate 3-12  
Trees and Shrubs Suitable for planting in RPAs

cc: RA File  
DPZ File



# FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

Trunks of trees to be planted or preserved for energy conservation must be placed within this zone in order to receive credit.



Reference:  
Section 12-0501.10

## ENERGY CONSERVATION TREE COVER CREDIT

PLATE NO

STD NO

3-12

**RECOMMENDED TREE AND SHRUB SPECIES FOR REFORESTATION OF  
RESOURCE PROTECTION AREAS**

**June 4, 2008**

The following tree and shrub species are recommended for planting in Resource Protection Areas (RPA) in Fairfax County, VA. These recommended plants are consistent with the Chesapeake Bay Preservation Ordinance Section 118-3-3 criteria for the establishment or reforestation of RPA forested buffers.

**This list is only a guide. Not all the plants on this list are appropriate in all locations for all purposes. Reforestation and aforestation plans should only be prepared by landscape and arboricultural professionals such as certified arborists, horticulturists, landscape architects, and landscape designers. Some of these native plants are not readily available in local nurseries, and should only be specified on plans if a source has been identified. All reforestation and aforestation plans submitted to meet the requirements of Section 118-3-3 should be submitted for review by the Urban Forest Management Division to determine the appropriateness of the proposed plantings.**

This plant list is divided into three sections: overstory trees, understory trees, and shrubs, as required in Section 118-3-3. These species are considered native to Fairfax County.

Not all the tree species listed are contained in Table 12.7 of the Public Facilities Manual (PFM), but the overstory trees generally correspond to Category 3 or 4 evergreen or deciduous trees, and understory trees generally correspond to Category 1 or 2 evergreen or deciduous trees in PFM Table 12.7.

Two planting zones are listed to ensure that the plants are properly placed in the RPA: Floodplain, and the Upland Interface. The Upland Interface includes the slightly higher elevation, dryer, but still generally moist, locations adjacent to the floodplain.

**Overstory Trees**

Scientific Name	Common Name	Floodplain	Upland Interface
<i>Acer rubrum</i>	red maple	x	x
<i>Betula nigra</i>	river birch	x	
<i>Carya cordiformis</i>	bitternut hickory	x	x
<i>Carya glabra</i>	pignut hickory	x	x
<i>Carya tomentosa</i>	mockernut hickory		x
<i>Celtis occidentalis</i>	hackberry		x
<i>Diospyros virginiana</i>	persimmon	x	x
<i>Fagus grandifolia</i>	American beech		x
<i>Juglans nigra</i>	black walnut	x	x
<i>Liquidambar styraciflua</i>	sweetgum	x	x
<i>Liriodendron tulipifera</i>	yellow (tulip) poplar	x	x

Recommended RPA species

Prepared and updated by the Forest Conservation Branch, Urban Forest Management Division,  
LDS, DPWES.

**Overstory Trees con't.**

Scientific Name	Common Name	Floodplain	Upland Interface
<i>Nyssa sylvatica</i>	black gum	x	x
<i>Ostrya virginiana</i>	Eastern hophornbeam		x
<i>Pinus taeda</i>	loblolly pine	x	x
<i>Platanus occidentalis</i>	sycamore	x	x
<i>Quercus alba</i>	white oak	x	x
<i>Quercus bicolor</i>	swamp white oak	x	
<i>Quercus falcata</i>	Southern red oak		x
<i>Quercus michauxii</i>	swamp chestnut oak	x	
<i>Quercus palustris</i>	pin oak	x	x
<i>Quercus phellos</i>	willow oak	x	x
<i>Taxodium distichum</i>	bald cypress	x	x
<i>Tilia americana</i>	American basswood	x	x
<i>Ulmus americana*</i>	American elm	x	x

\* Use cultivars resistant to Dutch elm disease

**Understory Trees**

Scientific Name	Common Name	Floodplain	Upland Interface
<i>Amelanchier canadensis</i>	serviceberry	x	x
<i>Carpinus caroliniana</i>	American hornbeam (ironwood)	x	x
<i>Cercis canadensis</i>	Eastern redbud		x
<i>Chionanthus virginicus</i>	fringetree	x	x
<i>Cornus florida*</i>	flowering dogwood	x	x
<i>Ilex opaca</i>	American holly		x
<i>Juniperus virginiana</i>	Eastern redcedar		x
<i>Magnolia virginiana</i>	sweetbay magnolia	x	
<i>Salix nigra</i>	black willow	x	
<i>Sassafras albidum</i>	sassafras		x

\* Use cultivars resistant to *Discula anthracnose*

**Shrubs**

Scientific Name	Common Name	Floodplain	Upland Interface
<i>Alnus serrulata</i>	smooth alder	x	
<i>Aronia arbutifolia</i>	red chokecherry	x	
<i>Asimina triloba</i>	paw-paw	x	x
<i>Callicarpa americana</i>	American beautyberry		x
<i>Cephalanthus occidentalis</i>	buttonbush	x	
<i>Cornus amomum</i>	silky dogwood	x	

Recommended RPA species

Prepared and updated by the Forest Conservation Branch, Urban Forest Management Division, LDS, DPWES.

**Shrubs con't.**

Scientific Name	Common Name	Floodplain	Upland Interface
<i>Cornus stolonifera</i>	red twig dogwood	x	x
<i>Euonymous americanus</i>	strawberry bush	x	x
<i>Hamamelis virginiana</i>	witch hazel		x
<i>Ilex decidua</i>	possumhaw		x
<i>Ilex glabra</i>	inkberry holly	x	x
<i>Ilex verticillata</i>	winterberry holly	x	x
<i>Leucothoe racemosa</i>	sweetbells	x	x
<i>Lindera benzoin</i>	spicebush	x	x
<i>Physocarpus opulifolius</i>	common ninebark	x	
<i>Rhododendron periclymenoides</i>	pinxter azalea	x	
<i>Rhododendron viscosum</i>	swamp azalea	x	
<i>Salix discolor</i>	pussy willow	x	
<i>Sambucus canadensis</i>	common elderberry	x	
<i>Vaccinium corymbosum</i>	highbush blueberry	x	x
<i>Viburnum dentatum</i>	arrowwood	x	x
<i>Viburnum nudum</i>	swamp haw	x	
<i>Viburnum prunifolium</i>	black haw	x	x

**Groundcovers and Seed Mixes**

Native groundcovers, including herbaceous plants, vines, and grasses, can be utilized in RPA reforestation and aforestation plans as described in Section 188-3-3. Individual plants and seed mixes are commercially available, however, the County cannot endorse specific commercial mixes. The best source of information on native groundcovers is the Commonwealth Of Virginia, Department of Conservation and Recreation (DCR) publication *Native Plants for Conservation, Restoration, and Landscaping: Riparian Forest Buffers*. This publication is available from DCR.

Recommended RPA species

Prepared and updated by the Forest Conservation Branch, Urban Forest Management Division, LDS, DPWES.



# County of Fairfax, Virginia

## MEMORANDUM

DATE: August 29, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT *MAD for AKR*

FILE: 3-5(SE 2008-HM-023)

SUBJECT: SE 2008-HM-023; Keith and Stephanie Anderson  
Land Identification Map: 12-3-((07))-4A, 24A

This department has reviewed the special exception plat revised through August 14, 2008. We have the following comments:

- The pipestem driveway, as shown on the plat, is too narrow in certain sections and does not conform to the standards provided in Fairfax County's Public Facilities Manual. To conform to these standards the driveway should be a minimum of 12 feet in width. In addition to this, a 24 foot wide ingress/egress easement centered along the driveway should be secured.

AKR/MEC



# COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.  
COMMISSIONER

DEPARTMENT OF TRANSPORTATION  
14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

September 5, 2008

Ms. Regina Coyle  
Director of Zoning Evaluation  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5511

Re: SE 2008-HM-023, Anderson Property  
Tax Map No.: 012-3-07 24A, 4A

Dear Ms. Coyle,

This office has reviewed the special exception plat relative to special exception application 2008-HM-023 and offers the following comments.

The applicant should verify the adequacy of sight distance along Bishop Gate Way.

For additional information please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Noreen H. Maloney".

Noreen H. Maloney  
Transportation Engineer

cc: Ms. A. Rodeheaver

RECEIVED  
Department of Transportation

SEP 12 2008

Zoning Evaluation Division



# County of Fairfax, Virginia

## MEMORANDUM

OCT 3 - 2008

**DATE:**

**TO:** Shelby Johnson, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Qayyum M. Khan, Chief Stormwater Engineer   
Stormwater and Geotechnical Section  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Exception Application, SE 2008-HM-023, Anderson Property, Plan Dated September 16, 2008, LDS Project #2748-ZONA-001-3, Tax Map #012-3-07-0004-A, 0024-A, Difficult Run Watershed, Hunter Mill District

We have reviewed the subject plan and offer the following comments related to Stormwater Management (SWM):

Chesapeake Bay Preservation Ordinance

There is Resource Protection Areas (RPA) on the north-east portion of the property.

Floodplain

There is a regulated floodplain along the RPA.

Drainage Complaints

There is a record of a yard flooding complaint on file for this property.

SWM

The applicant had submitted a PFM modification request to allow a single facility on one of the lots to serve both lots. The request has been disapproved by DPWES.

The following comments pertain to the two SWD/WBMP facilities now proposed by the applicant:

- The applicant will be required to obtain a PFM modification to locate two BMP facilities on two lots (PFM Section 6-1307.2).
- He needs to conduct infiltration tests in accordance with the Letter to Industry #07-04 for the final design of the SWM facilities.



Shelby Johnson, Staff Coordinator  
SEA-SE 2008-HM-023  
Page 2 of 2

Outfalls in the RPA's require a Water Quality Impact Assessment (WQIA). Removal of the existing stable from the RPA is deemed as land disturbance. Prior to subdivision plan approval with WQIA needs to be submitted and approved by the DPWES.

Site Outfall

The applicant needs to include computational analysis for the outfall adequacy with the final engineering.

If further assistance is desired, please contact me at 703-324-1720.

QK/mw

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Zoning Application File

RECEIVED  
Department of Planning & Zoning

OCT 07 2008

Zoning Evaluation

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: July 11, 2008  
 Zoning Evaluation Division  
 Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)  
 Wastewater Planning & Monitoring Division  
 Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SE2008-HM-023  
 Tax Map No. 012-3-/07/ /0004A, 0024A

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Colvin Run (D2) watershed. It would be sewered into the Blue Plains Treatment Plant.
2. Based upon current and committed flow, there is excess capacity in the Blue Plains Treatment Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 18 inch line located in the back of property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use +Application		Existing Use + Application Previous Rezoning		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	
Interceptor						
Outfall						

5. Other pertinent information or comments:

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- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
- (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
  - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
  - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

**9-005 Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

**9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

## SPECIAL EXCEPTIONS

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

### **9-007 Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

### **9-008 Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

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7. All lighting fixtures used to illuminate such off-street parking areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.
8. All such off-street parking shall comply with the provisions for landscaping and screening set forth in Article 13.

### **9-610 Provisions for Waiving Minimum Lot Size Requirements**

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirement for an R District, except for all cluster subdivisions, the minimum lot area and/or lot width requirements for a C district or the minimum district size requirement for the C-9 District, and the minimum district size, lot area and/or lot width requirements for an I district, but only in accordance with the following:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.
3. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.
4. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

### **9-611 Provisions for Approving Drive-In Financial Institutions, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Station/Mini-Marts in a Highway Corridor Overlay District**

The Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in financial institution, fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

### **9-612 Provisions for Waiving Open Space Requirements**

Except for cluster subdivisions in the R-2 District and cluster subdivisions in the R-3 and R-4 Districts which have a minimum district size of three and one-half (3.5) acres or greater, the Board may approve, either in conjunction with the approval of appropriate proffered conditions or as a special exception, the waiving of the open space requirement presented for a given zoning district and/or the open space requirement for cluster subdivisions in the R-C, R-E and R-1 Districts and cluster subdivisions in the R-3 and R-4 Districts which have a minimum

## GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dba:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dba value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

#### Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		